29 1946 Airlines

So Sorry, Please

They Have a Nice Little Jim Crow Formula on The Airplanes, Too

By HORACE R. CAYTON

The Courier Pittsburgh, Pa. Sat. 7-6-46

(The views expressed in this column are those of the writer and do not necessarily express the editorial opinion of The Pittsburgh Courier.—The Editors.)

IT'S the little hurts that get us. The little calculated acts of humiliation—those aimless, pointless bits of stupid and brutal prejudice, not serious enough to take a great stand on or to endanger a life or limb, but enough to throw us off step, making us angry and irritated for the rest of the day. It all came about when I took a plane out of Chicago to attend the National Convention of the NAACP in Cincinnati. I was waiting with a small crowd in front of the gate from which the plane was to leave. All of us watched the great silver bird, being impressed by the way the pilots handled that mammoth piece of delicate machinery. I was thinking, what a great age—in an hour and a half I would be in Cincinnati. Perhaps next summer on my vacation I'd fly to England. I felt that glow of tingling excitement I always have on taking a trip, and a little extra increment of fear which comes whenever it's an air trip. The sun beat down warm on our heads and the wind from the propeller whipped our clothes around our bodies and gave us a moment of respite from the heat of the warm summer morning.

Mr. Cayton

* * *

THE DOOR of the plane opened and the pilot beckoned for us to board. I stepped into the sun-heated metal oven of the interior of the plane. The air was hot and oppressive and I could hardly see, having come out of the glare of the sun. I almost bumped into the stewardess who was standing directly in front of me. There she stood, trim and straight in her immaculate white uniform. On her face was as engaging infectious smile.

"Good morning, sir, please take the front single seat." She was so pleasant I had smiled back and was halfway to the place she had pointed out when I remembered. I remembered a few years ago when I had flown to Houston, Texas, to attend another NAACP convention. Then, too, the girl had asked me to take the same place. I remembered that when I bought my ticket the super-polite clerk, in calling the airport for a last minute check, had said in a lowered voice, "This is a CX passenger." I had asked him what "CX" meant and after reflecting for a split second he had replied, "Oh, those are my initials." It wasn't till then, standing in the middle of the plane, that it occurred to me that never in all my life had I known an individual whose last name started with "X." Then, I remembered that of all the air trips I'd made only on these two occasions, while flying South, had I been directed to a particular seat. I turned, retraced my steps and took a seat in the center of the plane. By the time I'd adjusted my seat belt and started on the morning paper the stewardess was standing over me.

"I asked you to take the front seat, sir." I felt a hot red surge of emotion arise from my stomach. I looked up. The stewardess' face was hard, taut, and rigid with controlled emotion. It was evident she didn't want to do what she was doing. I sat back, relaxed—it was foolish to let this little servant girl make me angry, I thought. I looked at her for a moment and said, "I'll call you when I want you. At the moment I'm quite comfortable."

I resumed reading and left her standing there alone in her shame and anger. I didn't even notice when she left.

* * *

IN A FEW minutes the plane took off but I couldn't get interested in my paper. I felt restless and slightly angry. It was so foolish. She was going to serve all of us; no one had paid the least bit of attention to me; if the plane had fallen we'd have all gotten killed together—why just one special seat for me? I tried to dismiss the matter but it kept nagging at my consciousness. I was surprised to look up and find the stewardess inquiring if I wanted breakfast. The expression on her face was questioning, like a naughty child who doesn't know if he will be forgiven. I dismissed her with a curt "No, thanks." But still I couldn't get over a vague sense of irritation.

She came again, this time to show me a log of the trip. Then I had to ask her. "Young lady," I said, "just why did you make such a point of my sitting on the front seat?" She looked extremely embarrassed and mumbled something about it being a rule of the company with colored people or something like that. She was definitely on the defensive now. "I didn't have anything to do with it," she concluded.

"And if the company had ordered you to spit in the face of every Negro passenger, would you have done that, too?" I asked. The red blood started in at the neck of her dress and rapidly ascended to the hairline. She turned without another word and walked to the rear of the plane.

* * *

WHEN WE arrived at Cincinnati she was standing at the gangplank repeating her little formula, "I hope you had a nice trip, sir." She was half through with it before she noticed that she was talking to me. Then she stopped abruptly and said, "I'm sorry." At that moment I had for the first time a feeling of contempt for her.

"I'm sorry, too," I answered, "sorry you can't get a more dignified job."

I proceeded to the convention to discuss with the other conferees the great issues of the atomic age. But I felt the vague sense of irritation for the rest of the day. It's the little bits of calculated cruelty which bothers us.

Charges Against the Seaboard Air Line

WASHINGTON, Sept. 25 (UP) —The Seaboard Air Line Railroad was charged today with depriving negro passengers of their constitutional rights by refusing them first class accommodations.

Charles E. Byrd, Hopewell Junction, N. Y., negro, filed a petition with the Interstate Commerce Commission asking for $2,500 in damages because the Seaboard last February denied him and his wife Pullman reservations from Tampa, Fla., to New York.

At the time, Byrd said, he was an army chaplain with the rank of major.

Tennessee Eyes Alabama Jim-Crow Plan

Separate Pullmans in South Advocated by Dr. Patterson

Courier Pittsburg, Pa.
1-25-46

NASHVILLE, Tenn.—The Tennessee Railroad Commission is watching with interest the fight in Alabama to segregate white and Negro passengers by partitions and curtains if separate accommodations on trains are not available. A hearing set for Dec. 17 at Montgomery, Ala., has been postponed until Jan. 14. The Commission has ordered the separation by use of partitions and the railroads and representatives of colored organizations have requested that be given a hearing before the order is enforced. The commission has granted this request.

PATTERSON HITS MOVE

President F. D. Patterson of Tuskegee Institute has written the commission, saying that the proposed order would not accomplish the purpose of the commission, but would serve only to embarrass the Negro race.

Dr. Patterson said the only way to accomplish the aims of the commission is to provide separate coaches and Pullmans for colored passengers. He requested that the commission show leniency until this is done. 1-5-46

Meanwhile in Tennessee, it was indicated the railroad body was studying the Alabama action in an effort to determine whether or not such action would be taken in this State. 1-5-46

One commission member, who declined to be quoted by name, said that he had received several requests for enforcement of the State jim-crow laws. He said it was probable that Tennessee would follow whatever action is taken by the Alabama Railroad Board.

BALTIMORE—Three judges of the Federal District Court ruled here, three weeks ago, that railroad companies must seat Negro patrons wherever there are vacancies in dining cars. The decision was expected to terminate the highly objectionable "curtain service" on trains in the South.

Railroads Say

Alabama's Travel Law Unworkable

1-26-46

MONTGOMERY, Ala.—The Alabama Public Service Commission was told by railroad lawyers at a hearing here last week that their new jim-crow travel order was unworkable. Arthur D. Shores, Birmingham lawyer, declared the regulation violated State and Federal laws.

More than a hundred leaders, representing approximately fifty state-wide organizations, attended the hearing. They were merged into the Committee for the Equalization of Transportation Facilities, with Prof. J. E. Pierce as chairman for the committee.

LESS THAN FIVE COMPANIES

W. A. Northcutt, representing the seventeen railroads affected by the order, told the APSC that in 1944 these carriers had less than twelve complaints from the nearly two million passengers they handled. He argued that the new regulation went beyond the requirements of Alabama law. He suggested that the law was plain and the carriers should be left to take the steps to conform to it.

Northcutt found the law objectionable, because, if followed, it would throw them into conflict with the Government. In answering a question posed by Commission Chairman Gordon Persons as to what carriers would do if a Government travel order ran counter to the jim-crow travel order, Northcutt said that he would rather take his chance with the Commission than the Government.

SUBSTITUTE PLAN 1-26-46

The carriers offered a substitute plan that would practically leave the undesirable features of the order to the convenience and judgment of the railroads with the consent of these passengers. The substitute would change "Negro nurses dining with white child" to "white family." It accepted the segregated day coaches. It would not require interstate passengers entering Alabama on tickets purchased in States which do not have segregation laws, to move. 1-26-46

Opening this statement with a quotation from the preamble of the United Nations Charter, Attorney Shores cited court decisions—Alabama and Federal travel laws—to support his charges that the commission went beyond its bounds in drafting Rule "T-18." He read resolutions from the CIO-Birmingham Industrial Council and 100 students of the Talladega College NAACP condemning the order and indicated that he had others.

UNDER ADVISEMENT

Chairman Persons took under advisement the two-front protest from carriers and organized Negro leaders.

Among the prominent figures at the hearing were J. O. Slade of Atlanta, Southern Regional Council; Dr. H. M. Gibbs, noted Baptist woman leader; C. W. Orr, president of the Alabama State Teachers Association; D. M. Campbell, farm leader; W. H. Hollins, president of the Birmingham Negro Business League; R. E. Jones, of the Southern Negro Youth Conference; J. L. Laflore of the Alabama NAACP Conference, and Mrs. L. S. Gaillard, president of the Alabama Federation of Colored Women's Clubs.

SPSC Revises "Rule T-18"

Atlanta, Ga. Daily World

MONTGOMERY, Ala. (SNS)—The State Public Service Commission has revised "Rule T-18" to include most of the suggestions made by the carriers at a public hearing Jan. 14. 1-30-46

The revision leaves the segregation travel regulations just about the same as originally, except that Negro nurses with white families may eat with them.

The revised order instructs carriers to provide accommodations "accepting to plan" and not note requiring Negro passengers entering Alabama from states that don't have jimcrow laws to move or be curtained in

At the public hearing, Attorney Arthur D. Shores, of Birmingham, committee for the equalization of transportation facilities, protested that "Rule T1-18" was both illegal and discriminatory. The committee is read of Prof. J. E. Pierce of State Teachers College.

Alabama Railroads Ordered To Provide Separate Travel Facilities

Journal & Guide Norfolk, Va. 2-2-46

MONTGOMERY, Ala.—(NNPA)—Alabama railroads were ordered by the Public Service Commission last Thursday to furnish separate accommodations and facilities for white and colored passengers "as provided by law."

The commission amended its recent segregation order which had provided that "colored persons requesting berth or seat space" be assigned to inclosed accommodations if available, or separated from other passengers by partitions or curtains.

The order, protested at a hearing Jan. 14 by a group of colored persons who contended it infringed upon "human rights and fundamental freedom," is scheduled to become effective Feb. 1.

ALPHA PHI ALPHA WINS LEGAL VICTORY

In an unanimous opinion, a three-judge Federal District Court at Baltimore, Md., recently held that the Southern Railway's regulations on the treatment of Negroes in their diningcars are inadequate. The case, arising out of a complaint by Elmer W. Henderson, Baltimore resident, who is the regional director of FEPC's Chicago office, was remanded to the Interstate Commerce Commission whose previous decision was overruled by the federal court's action.

The regulations now outlawed have included a practice of setting aside a few tables surrounded by a curtain for use by Negroes and placing a reserved sign on the tables. However, when all other tables are occupied the railway serves whites at these tables and under the rules, no Negroes may be seated when the space is occupied by whites. On the basis of another regulation, the railway customarily offers to serve Negroes at their seats in the coaches or in Pullman cars. 2-2-46

He admits refusing to accept service at his Pullman seat. The ICC ruled that the railway was guilty of discrimination, but dismissed the complaint on the ground that the discrimination was the result of the "bad judgment of an employee." The Federal Court's opinion, written by Judge William C. Coleman and concurred in by Judges Morris A. Saper and W. Calvin Chesnut held that the railway must seat a Negro customer wherever there is a vacancy.

"UNREALISTIC," SAYS ALABAMA GOVERNOR, AS HE SCOFFS AT COURT'S JIM CROW DECISION

"Fertilizer For The Ku Klux Klan," Starks Avers

RANKIN WOULD IMPEACH HIGH COURT

WASHINGTON. (ANP) — Last week's supreme court decision outlawing segregation of colored and white passengers on interstate buses found the south generally reacting true to tradition. There was much scoffing, criticism, and general derision of the ruling.

In Alabama, Gov. Chauncey Sparks held forth on the states' rights issue. The human rights element was given no consideration. The governor pronounced the court ruling "entirely unrealistic," and said it would serve only as "fertilizer for the Ku Klux Klan."

"Leading Negroes of the south will not differ from this position," observed. "The court ruling is "must be devemote this kind of stuff are not realists. Never in history have any two races which are diametrically opposite, like the white and black only an effort to "inflict social equality on the south," Sparks continued, and concluded:

"I think the people who pro- realists. Never in history have any two races which are diametrically opposite, like the white and black

or the white man and the Indian, ever gotten along except by independent association."

Southern public service commission officials in most instances withheld comment on interstate aspects of the ruling, but were in agreement that state laws would continue to enforce segregation in intrastate transportation. Clayton Coleman, acting secretary of the La. State Public Service commission, asserted:

"I can tell you that Louisiana's laws on segregation in buses in intrastate transportation will continue to be enforced.

Rep. John Rankin (Dem., Miss,) the Negro-baiting congressman, suggested there might be a move to impeach members of the supreme court.

The Richmond, Va., News-Leader, a dessenting voice intimated editorially that it was fitting that the supreme court decision in the Virginia case take the form it did, and suggested the outlawing of segregation might be extended to interstate railroad transportation. The editorial concluded:

"Whether southerners approve this decision or not, they will adjust themselves to it as loyal citizens of the United States. Residential segregation was declared unconstitutional and was abandoned with less hardship than had been anticipated. The 'white man's primary' was outuawed with no serious upheaval. Experience with the new decision will be similar. Time settles all contention."

It is expected that test cases will result from the ruling, and it appears a certainty that invalidation of similar jim crow laws in Arkansas, Georgia, Alabama, North Carolina, South Carolina, Oklahoma, Louisiana, and Texas will follow.

justice and equality for minority groups.'

Had Made Hit

Before he made his unguarded statement McDuff was making fine headway with the crowd. He took some sharp raps at Roy Turner, and his school board record, and he tied H. C. Jones to the Kerr administration. The Seminole candidate then paid his respects to Kerr, who he said had made more promises to Negroes than any other governor, and kept none.

The crowd took kindly to DeDuff's declaration that he would seek repeal of Oklahoma's prohibition laws. "We've got a dry Constitution but a wet state" declared the Seminole man. "Our state government should be investing our tax money in schools and roads instead of unwisely spending it in an attempt to enforce prohibition" McDuff said.

FIVE MINUTES IN ATHENS, ALABAMA By Robert Minor

Daily Worker Newyork, N.Y.

Two years ago a bus on the Greyhound line, from Louisvill to Birmingham stopped for the usual five minutes at Athens, Ala.

A few people got off. About a dozen got on, among them five Negro women, one with an eight-month-old baby, and two Negro men. There were no other Negroes on the bus, and the white passengers had filled all but one of the rear rear seats usually occupied by Negrces under the Jimcrow law.

A young Negro woman walked through to the rear of the bus and was about to sit down in the one vacant space on the wide seat at the extreme end of the bus. But a very fat white man, weighing about 225 pounds, sitting next to the vacant space she was about to occupy roared:

"Don't you sit here, you g--d--black b--! White folks are sitting here. You just try and I'll cut your g--d--throat!"

The young woman remained s standing. The woman with the baby came to the rear of the bus looking for a seat. The fat man spread his knees and glowered at her. She stood with the baby in her arms.

My informant is a white worker, a native of Birmingham, who was returning from a hospital after an operation. He does not wnat this story to be printed without adding that he was in too weak physical condition to take a hand.

BUS PASSENGERS CAN HELP

Editor, The Advertiser: The Advertiser

I am writing some things which from observation I think would help improve bus service on the Montgomery City Lines, Inc., if the passengers would think and cooperate.

Watch your step in getting on and off the buses. Do dot stumble up or down the steps. Montgomery, Ala.

Get your fare out of that inner sanctum pocket book inside of that big outer sanctum pocketbook and have it ready—the exact fare, a nickel if you have it. This helps the bus drivers to be on their way.

I wonder how many people know what a headache the pennies taken in by bus drivers in the course of a day's run cause them. They have to accept pennies when offered as fares, but pennies are just so much dead weight to the drivers and are never given back to the passengers as change. Passengers could help by saving pennies for the merchants, who really need them. Pennies to the little folks who are glad to get them for cones, candy, gum, etc., may be pennies from heaven to them, but to a tired bus driver and cashier at the end of a day's run, who have to count and balance, they are pennies from anywhere but Heaven.

Passengers can help also by using the rear door when getting off the bus, while the incoming passengers are coming in at the front door. Except, of course, when the aisle around the back door is too crowded for exit that way.

A few days ago coming home in the afternoon I was standing near the rear door and a white lady passenger seated near the rear door rang the bell to get off. When the driver stopped the bus, instead of taking two or three steps to the rear door she got off the hard way. She elbowed and ploughed her way through the crowded aisle to the front door, thereby causing the driver to lose valuable time.

Some white people seem to think the back door is for colored passengers only. Really, the front is made to take on passengers and the rear to disgorge passengers, which rule if observed would help the drivers to maintain their schedules without having to break any speed limits.

If bus riders will endeavor to help bus drivers in the ways mentioned I know it will be greatly appreciated by them and the passengers will get to their destinations quicker.

S. STANFORD,
141 Arthur Street, Montgomery, Ala.

Railroads Not Planning Jim Crow's Abolishment

The Afro-American Baltimore, Md.

In Purchasing New Equipment for South They Have Ordered 'Equal' Accommodations

BIRMINGHAM—From the Alabama Conference of NAACP Branches comes word that two of the largest railroads in the State have no intention of doing away with jim crow in their inter-State travel plans for the future.

In the branches' fight against discrimination in travel facilities, both the Louisville and Nashville and Southern Railway Lines have admitted, by indirection, that jim crow is here to stay.

They have told J. L. LaFlore, director of the fight against discrimination, that in the millions of dollars worth of new equipment they have ordered for express runs, they will provide "equal accommodations."

Inter-State Travel Burden

The Louisville and Nashville officials were silent when Mr. LaFlore suggested that they remove the "undue burden on inter-State commerce."

Present procedures require colored passengers en route to Chicago and points south of Nashville to change trains at Nashville, he pointed out, while white passengers occupy through cars from such points.

He also said that the Seaboard Air Line Railroad had not answered his request to remove the same conditions affecting passengers between Atlanta and Hamlet on trains bound for Washington and New York.

To Test Constitutionality

The NAACP group in striving to have railroads and bus lines as well respect the recent Supreme Court decision outlawing travel pim crow, suggests that persons discriminated against institute test cases.

It suggests that they telephone reservations to ticket agents and not state their racial idenity. If they are denied seat assignments in cars when they have made reservations, they will have grounds for suit, it points out.

Public Service Commission Hears Rail Segregation Protest

The Alabama Public Service Commission Monday took under advisement a Negro attorney's protest and a railroad spokesman's suggested revisions in the commission's racial segregation order scheduled to go into effect Feb. 1.

The attorney, Arthur D. Shores of Birmingham, described as discriminatory and illegal a directive issued last month requiring railroads to segregate white and Negro passengers with curtains and partitions if separate accommodations are not available.

He also asserted it violated the spirit of the United Nations charter in that it infringed upon "human rights and fundamental freedom."

The railroads opposed particularly two sections in the order which said that if enclosed accommodations on Pullmans were not available, Negroes should be given berths or seat space in the open section of the car "in which case the partitions must be in place and curtains must be drawn at all times."

W. A. Northcutt, general solicitor of the Louisville & Nashville who acted as spokesman for the carriers, said this requirement would be "wholly impractical and unworkable."

Northcutt also asked the Commission to strike out a provision that curtains and partitions should be put up around Negroes coming into Alabama on trains from other states which do not have race segregation statutes.

The railroads suggested minor changes in other parts of the order affecting day coaches and eating facilities.

Shores, who said he represented the Coordinating Committee for Equal Transportation Facilities in Alabama, declared the order would impose a "badge of inferior citizenship" on members of his race, and asserted, "there has been no incident to demand such a sweeping change."

He said the order was illegal in that it violated both Alabama and federal laws, particularly in regard to interstate passengers.

Shores described the coordinating committee as a group composed of representatives of organizations of both races in the state.

Arthur D. Shores, of Birmingham, appeared at a public hearing in opposition to the commission's order directing railroads operating in the state to segregate white and Negro passengers by curtains and partitions when separate accommodations are not available.

Shores said he represented the Coordinating Committee for Equal Transportation Facilities in Alabama, which he said was composed of representatives of organizations of both races.

A railroad spokesman, meanwhile, suggested several changes in the commission order, chiefly related to the requirement that partitions and curtains must be "in place and drawn at all times" when Negroes are seated in Pullman cars.

W. A. Northcutt, general solicitor of the Louisville & Nashville, said that would be "wholly impractical and unworkable."

He agreed, however, with the provision that Negroes requesting seat space or berths may be assigned to space in enclosed accommodations if available.

Shores declared the order, the effective date of which is Feb. 1, would impose a "badge of inferior citizenship" on members of the Negro race and would be "embarassing and humiliating."

Jim Crow Travel Order Unworkable, Alabamians Told

BY EMORY O. JACKSON

MONTGOMERY, Ala., (SNS)—The Alabama public service commission was told by railroad lawyers that their new jimcrow travel order was unworkable, while Arthur D. Shores, Birmingham lawyer, declared the regulation violated state and federal laws at a hearing here Monday.

More than 100 leaders, representing approximately fifty statewide organizations were here. They were merged into the committee for the equalization of transportation facilities with Prof. J. E. Pierce as Chairman. Shores was spokesman for the committee.

W. A. Northcutt, representing the 17 railroads affected by the order told the APSC that in 1944 these carriers had less than 12 complaints from the nearly five million passengers they handled. He argued that the new regulation went beyond the requirements of the Alabama law. He suggested that the law was plain and the carriers should be left to take the steps to conform to it.

Northcutt found the law objectionalbe because i followed it would throw them into conflict [illegible] government in enforcing a question by commission chairman Gordon Persons, as to what carriers would do if a government travel order ran counter to the jimcrow travel order Northcutt said that he would rather take his chance with the commission than the government.

The carriers offered a substitute plan that would practically leave the undesirable features of the order to the convenience and judgment of the railroads with the consent of the passengers. The substitute would channle (Negro Nurses dining with white child to white family. It would not require interstate passengers entering Alabama on tickets purchased in states which do not have segregation laws to move.

Opening his statement with a quote from the preamble of the United Nations Charter, Shores cited court decisions, Alabama and federal travel law to support his charges that the commisson went beyond its bounds in drafting rule 18. He read resolutions from the CIO Birmingham industrial council and 100 students of the Talladega college NAACP comdemning the order and indicated that he had others.

Chairman Persons took under advisement the two front protest from carriers and organized Negro leaders.

AMONG LEADERS PRESENT

Among the prominent figures at the hearing were J. O. Slade, of Atlanta Southern Regional Council; Dr. H. M. Gibbs, noted Baptist woman leader C. W. Orr president of The Alabama State Teachers Association D. M Campbell, farm leader, W. H. Hollins president of The Birmingham Negro Business League, R. E. Jones of the Southern Negro Youth Conference, J. L. Leflore of the of the Alabama NAACP Conference and Mrs L. S. Gaillard president of the Alabama Federation of Colored Women's Club.

At a session of the committee following the hearing a resolution of thanks and praise was voted by Mr. Shores. It was remarked that this was the first time in 45 years that a giant statewide protest by Negro leaders had been staged in Alabama. The group pledged to raise money and fight until travel equality comes.

Lawyer Says Race Segregation Illegal

MONTGOMERY, Ala., Jan. 15 — (AP)—A Negro attorney opposed the Alabama Public Service Commission's railroad race segregation order today as both discriminatory and illegal, and declared it "violated" the United Nations Charter.

Politics in Air

ALABAMANS OPEN FIGHT ON TIGHTER TRAVEL LAW

By SPECIAL CORRESPONDENT

MONTGOMERY, Ala.—Negro leaders arrived here Monday to protest the Alabama Public Service Commission's plan to tighten jim-crow travel laws. Leading the fight is the Committee for the Equalization of Transportation Facilities, headed by J. E. Pierce, member of the Alabama State Teachers' College staff.

Supported by a state-wide financial campaign, the committee employed Atty. Arthur D. Shores of Birmingham to fight the CETF plan.

COMMISSION HEAD ANGRY

The plan to "keep Negroes in their places" was given new impetus last summer by Gordon Persons, chairman of the Alabama Public Service Commission and an aspirant for the post of Governor of the State, when he complained that Negroes had ridden in a Pullman coach from Montgomery to Mobile without segregation, used the same toilets and observation car as whites, and even ordered a porter to set up a table and bring them cracked ice.

Persons ordered the seventeen railroads doing passenger business in the State to turn in reports on how they were observing segregation laws in Alabama.

Persons designed a new set of regulations—"Rule T-18"—for railroads to observe in making effective jim-crow laws in the State. He called a meeting Dec. 17, but no railroad representatives attended. A protesting Negro delegation was on hand, however.

CURTAINS FOR NEGROES

Rule T-18 would (1) perpetuate the continued segregation of Negroes and whites; (2) not specifically compel the railroads to give equal and same accommodations to Negroes and whites; (3) require curtains to be pulled between Negro and white passengers; (4) degrade Negro nurses of white children by abridging the law and placing them in a special category through special privileges granted nurses, and (5) "curtain off" Negroes entering Alabama on tickets purchased in States which do not have segregation laws.

SEE POLITICAL MOVE

Leaders here see this as a political move. They feel that the "racial superiority" angle is being injected into the coming election, inasmuch as Persons has announced his intentions to run for the Governorship.

Adding strength to the Committee for Equalization of Transportation Facilities in its fight for equality are these groups — The Alabama Conference of NAACP Branches, Birmingham Baptist Ministers Conference, the Emancipation Celebration Association of Greater Birmingham and the Interdenominational Ministers Alliance of Birmingham.

These groups already have flooded Persons and his committee with protests.

VETERAN IS SHOT DOWN LIKE A RAT FOR MOVING SIGN

Birmingham, Ala.—A Negro ex-Marine was slaughtered in Dixie this week for defying Jim Crow.

Honorably-discharged Timothy Hood of Bessemer, Ala., was shot [illegible] the Committee for the Equalization of Transportation Facilities, headed by J. E. Pierce, member of the Alabama State Teachers' College staff.

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The chief arrested the veteran and was that the motorman "apparently shot or wounded him in a police car. of the newspapers here Fant, who later fired a single shot the killing. into ooHd's brain, claimed that Hood however, later admitted that had reached for a weapon. ed five shots at the veteran. A summary report from Bessemer lets, one from Fant's gun, coroner J. T. McColum stated "justi- found in Hood's body. fiable homicide." en tracked Hood down to a se and found him wounded.

Week, however, later admitted that he had fired five bullets, three times by white street-car conductor W. R. Brighton when the ex-Marine had been "apparently shot in the brain by a street car and moved the ed" as one of to move a sign. Hood was actually shot by a single Killed By Police policeman G. R. Fant of Brighton, Ala. shots outside his home near the street were later found in Hood's body. The slaying was called "justifiable car line and rushed out to find motorhomicide." man Week lying on the ground. Fant then tracked Hood down to a Fant's nearby house and found him wounded.

FROM THE 'BAMA STRIKE FRONT:

Jimcrow Rides Car No. 27

By ROBERT MINOR

BIRMINGHAM, Feb. 5.—At the evening rush hour yesterday I waited on First Ave. for a street car to West End. Many other cars passed, not going my way. No. 27 car, bound for the big steel mills at Ensley, sitting and standing together, stopped in front of me.

My attention was attracted by the fact that the rear half of this car was wedged full of people, sitting and standing in a solid, suffocating mass, while from the center of the car to the forward end only a few passengers were scattered over otherwise vacant seats. I estimated there were more than 25 vacant seats. Why didn't the people packed and jammed in the rear come up and take the empty seats?

Because the crowded people in the rear were Negroes. The people in front were white. The space in front is assigned to whites. Anyone who attempted to cross the invisible line in the middle, if he or she is a Negro, would be subjected to penalties, the very lightest of which would be a jail sentence.

That street car with its strangely loaded cargo passed on toward Ensley. The West End car came, and I entered it. This car was loaded in quite a different proportion. The front half of the car and a portion of the rear half as well are reserved for whites. In the rear half, an iron bar extends down the center of the aisle to divide the portion reserved for whites from the other portion allowed to Negroes, and at the extreme rear a section of the iron bar can be moved to allow more or less space to Negroes, in accord with the proportion of white and Negro passengers on the car at the particular time.

Well, on this car all space reserved for whites was fully occupied by white passengers, sitting and standing. In the smaller space allowed to Negroes, all seats were also taken, and a few Negroes were standing.

A few Negro passengers got off, by ones and twos, and the space they had occupied—standing-room near the center of the car—was gradually taken by white passengers. Some Negro passengers who had seats got off the car, and standing white passengers quickly took these seats.

The street car filled up to the sardine point. Soon the portion of the car allotted to Negroes was a mass of white and Negro passengers both sitting and standing together.

The street car halted at a corner where several Negro passengers alighted, and where a half-dozen Negroes and about the same number of whites were waiting to get on.

The double doorway of the car is divided in the middle, the forward half of the door being reserved for entrance and exit of white passengers, the rear half for Negroes. But in this case the "white" half was jammed too full for anyone to enter. The conductor opened the door, four or five Negro passengers alighted. Then the conductor held up his hand as a signal for the waiting Negroes who wanted to get on, to stand back. He beckoned to the white persons in the street to get on through the rear half of the doorway reserved for Negroes. The whites did, and completely filled the remaining space in the part of the car allotted to Negroes. The Negroes were left standing on the street, the door was closed and the car moved on.

This is just a little part of the Jimcrow system.

Behind the divided street car is a divided people whose unity is the only basis on which there can ever be any democracy or any prosperity in Alabama.

Behind the segregation on the street car is segregation on the payroll—the Negro worker getting $11 for work for which the white worker is paid $16. (This is often accomplished by failure to upgrade the Negroes.) And behind this division between Negro and white in the South, is the division between the Northern payroll and the Southern payroll—the Northern worker getting $20 for what the Southern white worker is paid $16 and the Southern Negro worker $11. The white Southern worker gets $4 less because the Negro gets $9 less.

Every person who is fighting the trade unions on behalf of the Steel Trust is fighting against the FEPC and for the maintenance of the Jimcrow system.

APSC Revises Railroad Order On Segregation

Montgomery, Alabama

Accommodations Must Be Provided For White And Negro Passengers

The Alabama Public Service Commission yesterday revised its race segregation order to railroads operating in the State, and directed the carriers to provide separate accommodations "as provided by law."

It took out of its original order a requirement that Negroes requesting berth or seat space should be given enclosed accommodations if available "at the regular tariff rate for night service or seat rate for day service."

It removed, too, a provision that Negroes assigned berths or seat spaces should be separated from white passengers by partitions and curtains.

Instead, the commission ordered the carriers to provide separate accommodations and toilet and washroom facilities, and added:

"The method of complying with the law has been left to the railroads."

Also eliminated was a section of the order which said Negroes entering Alabama from States which do not have segregation statutes are not required to be moved, but should be set apart by partitions and curtains.

The commission explained that Alabama law already provides that interstate passengers shall not be moved.

Another amendment gives both white and Negro passengers the right to be served meals at their seats in coaches or pullmans, a change from the provision in the original directive that applied only to colored passengers and said they should have the service without additional charge.

Retained, however, was a requirement that dining cars be equipped with curtains to separate the races, but colored nurses traveling with white families may be seated with them.

Nothing is said in the amended order about members of the armed forces, although the original exempted them when traveling on official business.

Problems of the South:

Liberal Alabamans Rally Against New Segregation Rule

To Fight Vicious Train Jim Crow Order; Group Formed

¶ Compels the railroads to insult and embarrass Negro people entering Alabama on tickets purchased in states with no segregation laws.

State Code Cited

Thousands of citizens of Alabama who still believe in democracy have risen in protest against a new, vicious railroad passenger train segregation regulation and have formed the Co-ordinating Committee for Equalization of Transportation Facilities to fight the hate-breeding order.

This most recent adventure in Jim Crowism is the brain-child of the Alabama Public Service Commission and went into effect Jan. 1. It is labeled Rule T-18.

Rule T-18 is under attack by the Committee because it:

¶ Perpetuates segregation of Negroes and whites.

¶ Does not compel railroads to give equal accommodations.

¶ Requires curtains to be pulled between Negroes and whites.

¶ Places Negro nurses of white children in a special category through which they are granted privileges not granted these nurses.

In regard to the latter, the Committee points out, Section 196, Title 48 of the 1940 Alabama Code is being ignored because the Code specifically states that "when persons of the colored races enter Alabama on tickets purchased in states which do not have like segregation statutes—such persons shall not be required to be moved."

The Committee is the co-ordinating body of a number of advanced Alabama organizations and individuals. Its corresponding secretary is Edward K. Weaver, of Alabama State Teachers College in Montgomery. At present, the Committee is carrying on a drive for funds with which to support its fight.

At a public hearing on the new regulations in Montgomery, W. A. Northcutt, lawyer for the Louisville & Nashville Railroad Co., expressed the opinion that Rule T-18 exceeds the Public Commission's legal power. Other railway attorneys said the new Jim Crow regulation

MONTH OF COURTESY A MATTER

Editor, The Advertiser:

I am compelled to take notice of your editorial of March 9, 1946 ("Do You Remember?"), especially that clause relative to Negroes wishing dining car service to eat at other than regular hours. The N.A.C.P. points out that, in addition to the indignity which upon American citizens because their skin is black, the provision of Rule T-18, which compels Negroes the equal service which is their right under the Alabama Code.

Another organization protesting the un-American train regulation is the National Assn. for the Advancement of Colored People of Southern Alabama. Specifically, this branch condemns the dining car seating section of Rule T-18, which compels Negroes to ride the bus four meal hours, to and from my route as a postman. I am always heavily loaded with mail that, in addition to standing in the Postoffice, and have to stand a forced upon me because some white person is sitting in the rear of the bus cause their skin is black, the provision of the bus is empty. Since it is the law that a Negro must not sit in front denies Negroes the equal service of white person, why are not the operators of the buses instructed to ask the white which is their right under the patrons to move to the front, and permit Alabama Code. those standing Negroes to have a seat?

Montgomery, Ala. D. W. BALLARD, P. O. Dept.

(Editor's Note: Common courtesy should lead whites to move forward so as to provide more seats for Negroes when the front of the bus is empty. Undoubtedly, bus drivers can help if they will remind their passengers of the provision.)

Joining in the mounting wave of protests is the Veterans' Committee of the Southern Negro Youth Congress. These men, who fought Fascism abroad, take particular exception to the ruling which provides that Negro Pullman car passengers entering Alabama from a non-segregation state must be curtained off. This, they point out, is a direct violation of the concept of equal transportation facilities upheld by the U. S. Supreme Court.

"Similarly," the veterans said, "the provision that Negroes re-

Red Cross Worker Abused, Arrested on Train in Arkansas Plans $50,000 Suit

(Balt.) Afro-American—Baltimore, Md.

1-5-46

NEW YORK—Charging that she had been dragged from a jim crow coach by three white MP's and arrested in Arkansas because a conductor objected to her talking to an Army nurse, Odette Harper, a Red Cross worker home after 12 months overseas, revealed this week that she is filing suit against the Missouri Pacific Railroad for $50,000 damages.

A former publicity director for the NAACP, the 28-year-old Miss Harper told the AFRO the incident occurred only 10 days after her return from Germany while she was enroute here from a visit in Louisiana and riding in the jim crow coach because she had been unable to get Pullman reservations at Alexandria, La.

During the period she spent in jail in Newport, Ark., where she was booked on charges of intoxication and disorderly conduct, disturbing the peace and using profane language, Miss Harper wrote notes on the entire incident which she exclusively released to the AFRO. The notes follow:

Surrounded by Soldiers

"This afternoon (Dec. 27) at 3:15 p.m., I boarded a train at Alexandria, La., and settled myself in the jim crow coach. I was surrounded by soldiers deploring the filthy, crowded conditions of the coach.

"In the seat for two that I occupied and spilling into the aisle were three soldiers, another colored girl, a civilian to whom a tired soldier had surrendered a portion of his seat and mine, and myself; and there were a score or more of fat cockroaches sleepily meandering across our laps.

"But even while our soldiers, hearty guys with five or six overseas stripes at their wrists, complained about the indignity of being packed in like that while just behind a coach marked "white" rattled along with empty seats . . . many of them rejoiced, excitedly fingering honorable discharge papers.

"We talked about how things had been over there. We laughed, glad in spite of everything, to be home.

Nurse Asks for Her

"After a while, the train pulled into a station, and a Pullman porter came through and told me, 'Miss, the nurse lieutenant asked me to bring you to her compartment, please..'

"I asked him was he sure, because I didn't believe I knew the nurse. And he said, 'Well, that's what she said; maybe she just wants to make herself acquainted because you and she are in the service. Won't you come on with me and I'll take you to her.'

"So I went with him, passing through a couple of white cars to reach the closed compartment that was hers. As I went along, white overseas veterans smiled toward me, saying, 'Well, here's Miss Red Cross; get me out of this Army; and lots of other things.'

"These things a Red Cross worker answers with a reassuring smile, but this was the South and instead of the smile, I compressed my lips and walked briskly behind the porter.

Both From N.Y.

"We reached the compartment, and the nurse and I discovered we didn't know each other but that we were both from New York City. (She was a Lt. Martin of Brooklyn, also colored.) We chatted five or six minutes. I'd been there with her less than 10 minutes when I excused myself and started back for the jim crow car.

"When I got to the door of the coach, I found it stuck, I thought, and took a firmer grip on it. The white conductor, who was sitting on the first seat of the half-empty 'white' coach, got up, took a key out, and opened the door. He said to me, 'I keep you n—s locked up in here. Where's your ticket?'

"I was too angry to answer and remained silent. He repeated the question. I said my ticket was at my seat. I had left it in the pocket of my coat which was hanging on the back of my seat. He said, 'You go bring me that ticket, damn you-'

Returns to Seat

"I said, 'you will come and get it if you want it,' and went back to my seat. Afraid of possible tinder-box reaction of the colored GI's in my coach to the incident, I said nothing about it to them, but talked for a while and dozed off. Suddenly, somebody was jerking my shoulder. It was the conductor.

"'Take your hands off me,' I said.

MISS ODETTE HARPER, attractive Red Cross worker, home on furlough from Europe, who has instructed lawyers to prepare damage suit against Missouri Pacific Railroad because a train conductor manhandled her while she was en route to her home in New York from Lousiana. Miss Harper served in France, Germany and Italy. (See accompanying story.)

"'Woman, give me that goddamn ticket,' he yelled.

"I handed it to him. He looked at it and grunted. He'd already punched it hours earlier. Giving me a stub, he said: 'New York, huh! Well, I'm putting you off this train, damned bitch!'

"The soldiers all said to him, 'Look here man, you can't talk to that lady like that.'

Returns With M.P.'s

"He went off, muttering curses. About an hour and a half later, the train drew into this stop (Newport, Ark.), and the conductor returned with three white MP's who raised their clubs to me and ordered me to get off the train with them.

"The colored soldiers all said that if they were taking me off, they'd all go along, too. The MP's ordered them all to remain where they were and to shut up, brandishing their clubs.

"One quick-witted Portland, Ore., colored GI suddenly assumed the meekest Southern dialect and said, 'Please, boss, kin ah go along wid her cause she ain't nuthin' but a plumb fool.'

"The white MP's said, 'well, git going, then!'

"I have been brought here to this place and charged with drunken disorderly conduct, use of bad language, etc.—all insane accusations, of course. Only one white cracker said, 'but goddamn it, this wench is sober as a judge!'

Told to Shut Up

"They tell me to shut up and they mutter things here. The hearing is tomorrow, and perhaps I'm facing danger. The soldier who was smart enough to manage a way to stick with me (Pvt. James Ferell), is pacing up and down outside. The hatred and anger I felt has frozen out. I intend to risk smuggling out these notes to some colored attendant to mail.

"And I—the same person who a while ago was knocking roaches aside on the train because I can't bear killing—now sit here rigid with loathing, gripping a pencil with one hand and with the other clutching in my pocket a concealed war trophy a brown GI dropped into my uniform pocket as I was being taken from the train, mumbling, 'use it if you need it!'

"I looked at it here in this place —it's a loaded Beretta!"

All Charges Dropped

Miss Harper was cursed and harangued by the local officials in Newport, and kept in a small, dirty room until 4:30 a.m., and then released on bail after they took $25 and a $100 war bond from her purse. When she appeared in court for a hearing that day, all charges against here were dropped, without comment, and her money and bond returned.

She has turned her case over to Harry G. Bragg, a well known New York attorney, who assured the AFRO he "intends to take appropriate action against the railroad." The NAACP will also fight in her behalf, as well as the Civil Liberties League.

Born in New York, Miss Harper attended public and high school here, and is a graduate of Hunter College. She lives at 455 E. 187th St., in a house which her great-grandfather built. She is single. Her brother, Clarence, is a medical technician for the War Department.

Significantly enough, she carried in her purse, at the time the incident occurred, a neatly folded letter signed by Elaine S. Gorham, Chief Personnel Administrator, American Red Cross, which reads:

"To whom it may concern: Miss Odette Harper has just returned from a foreign assignment with the American Red Cross after serving overseas from Nov., 1944, to Nov., 1945. She will be on leave from Nov. 6 to Dec. 6, approximately. Any courtesies extended to Miss Harper will be appreciated by this organization."

Courier Pittsburg, Pa.

Pretty ARC Worker Forced From Train

ETO Vet Sues Railroad

NEW YORK—Charging that she had been forcibly removed from a Louisiana-to-New York train by two husky white military police men upon the instigation of a belligerent conductor in Newport, Ark., Odette Harper, attractive Red Cross worker, home on furlough after more than a year overseas in France, Germany and Italy, last week instructed her attorney Harry G. Bragg, 409 Edgecombe Ave., to bring suit against the Missouri Pacific Railroad in Federal Court for damages.

Miss Harper, a former director of publicity for the NAACP, said she was occupying a seat with four Negro returnees in the jim-crow day coach car, while white coaches were practically empty.

FOUND DOOR LOCKED

Said Miss Harper: "I was riding in the jim-crow coach because I had been unable to get Pullman reservations at Alexander, Louisiana. An Army nurse—a Lieutenant Martin—who had seen overseas service, heard me to bring my seat." "You'll be a long time when I appeared at court for a hearing the charges were dropped, the case dismissed, and her bond returned." were forced to give up their

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2 Women Forced Into Jim Crow Car Sue Railroad for $10,000

CHICAGO—(ANP)—A $10,000 damage suit charging that the Missouri Pacific Lines and Pullman officials, and manhandled on a Louisiana train by these alleged excuse of searching my person for weapons. I was kept in an Army Company refused to honor my ticket book to him. where local officials aroused from already punched my bed, charged me with intoxication, disturbing the peace and using profane language.

I was cursed and reviled by these MPs. They also called two MPs. I was taken off the City Hall, and ordered train and rushed to

CT TO LANGUAGE

rs later I was roughly by the conductor, who shoulder and profanely the ticket. The Negro jected to his language and then released on bail after they took $25 and a $100 War Bond from my purse. The next morning when I appeared at court for a hearing the charges were dropped, the case dismissed, and Mary Hann charge that the

GI OBJECT T

ex- Two hours la ened by th seized my shoul demanded the t because ed by

in your co a 'yellow

Court here last week. Mrs. Lethia Williams and Miss were forced to give up their

accommodations in Little Rock Apr. 18, 1945, while en route to Hot Springs, Ark., and ask damages for being "exposed to public humiliation." 4-27-46

Corona Red Cross Drive Chairman Protests Treatment of Negro Nurse

Daily Worker

Jackson Heights, L. I.

Editor, Daily Worker:

I am enclosing herewith copy of a letter which I have sent today to Mr. Basil O'Connor, chairman of the American Red Cross:

"As chairman of our American Red Cross Drive in Corona for 1945, that was so tremendously supported by people who reject the Hitler theory of racism, especially the Negro people, I am particularly incensed at the treatment of the Negro Red Cross nurse, Odette Harper, who was cruelly evicted from a train at 2:30 a.m. at Newport, Ark., and arrested.

"What kind of an organization is ours, which will not come to the aid of one of our nurses, just because she is a Negro? The fact that our organization followed a policy of segregating the blood of the Negro people is inexcusable for two reasons: first, it is unscientific, and, secondly, more lives could have been saved. With 14,000,000 Negro people in our country, because of this policy we lost millions of pints of blood and millions of dollars.

"On behalf of the armed forces, both Negro and white, who fought against Hitlerism, and respected and supported the Red Cross, and on behalf of the people at home who have respected and supported the Red Cross, it is necessary that we as a truly American organization, practicing true democracy, should prosecute the railroad for this fascist-like attack on one of its representatives. This is not only my feeling, but that of the many organizations in our community.

DR. MICHAEL P. LAWRENCE.

California (Arrests and Suits after U. S. Decision)

Reveal Jim Crow Trains Leave Los Angeles Every Day for Southland

The Call Kansas City, Mo.
Fri. 9-13-46

LOS ANGELES. — (PPS) According to the Sept. 5 issue of the Los Angeles Sentinel, Southern Pacific officials this week frankly admitted that the company follows a conscious but "paternal" jim crow policy in the seating of colored passengers leaving Los Angeles for the South.

Admission of this policy occurred in connection with an incident last Friday on the Sunset Limited and follows receipt of news that various railroads and busses throughout the country are blandly disregarding the specific and implied import of the recent ruling of the United States Supreme Court prohibiting segregation of races on busses operating in interstate commerce.

In Texas, the police have reportedly stepped in, arresting, fining, and ruthlessly beating colored passengers who have insisted upon their rights.

When an official of the Southern Pacifc was queried on Saturday as to whether or not it was customary to assign Negroes travelling to points east of El Paso, Texas to the coach immediately behind the baggage car, he replied: "What would be the objection? There's nothing jim crow about that."

Another official admitted quite freely that the S.P. does attempt to segregate Negroes into one coach but expressed the view that this policy was followed in an endeavor to avoid unpleasantness when passengers reach the borders of Texas.

The latest incident spotlighting the Southern Pacific's herding of Negroes into jim crow cars and following other discriminatory practices occurred when a number of colored travellers enroute to New Orleans after attendance at the Alpha Kappa Alpha sorority boule and at various summer schools here protested their segregation.

One of the train dispatchers is quoted as advising them that it would save "embarrassment" when they arrived at El Paso.

$50,000 SUIT FILED AGAINST RAILROAD FOR JIM CROWISM

The Plaindealer Kansas City, Kansas
Fri. 9-20-46

Los Angeles. (Pacific Press Syndicate)—Because he was refused permission to occupy the reserved train seat he had purchased and was forced to ride in a Jim Crow car, Charles S. Thomas, well known business man, plans to file a $50,000 damage suit against the Southern Pacific Railway.

The incident occurred on June 25th in El Paso, Texas, according to Thomas, who said that he purchased a through ticket on the S. P.'s famed Sunset Limited from Los Angeles to Fort Worth, Texas. He said that he was permitted to occupy the seat he had reserved until the train reached El Paso.

At that point, Mr. Thomas left the train for a few minutes and when he tried to return to his reserved seat he was told that he could not do so, but would have to go to the Jim Crow car. When he remonstrated with the conductor and called attention to the Supreme Court decision outlawing Jim Crow in interstate travel, he was told that "this is Texas and you will have to ride where we put you down here."

Bus Line Pays Negro For Jim Crow Policy

The Defender Chicago, Ill.
Sat. 7-20-46

SAN FRANCISCO, Cal. — Accused of trying to Jim Crow a Negro passenger, the Burlington Bus Company recently admitted its error by settling $200 on the passenger, Emory Anderson, the NAACP announced recently.

Traveling from Omaha to San Francisco, Anderson was ordered to sit in the rear of the bus at Reno, Nevada. Refusing, he travelled to San Francisco by other means where he enlisted the aid of the NAACP whose attorney secured the redress.

Court Jim Crow Decision Defied

The Afro-American
PHILADELPHIA

The first report of open defiance of the U.S. Supreme Court decision outlawing segregation in inter-state travel in this area came to light this week, when a Philadelphia man protested being jim-crowed by a bus company en route to Maryland.

Levin Holland, 1231 N. 15th St., in a statement to the NAACP, accused the Short Line Bus Company of segregating him on a trip from Philadelphia to Showell, Md.

Asked to Move

Holland said that at the change of buses at Milford, Del., he took a front seat. The driver, he said, requested him to move to the rear of the bus, which he refused to do. Baltimore, Md.

At Selbyville, Del., Holland reported, the driver stopped the vehicle and called a policeman, who made him move to the rear of the bus.

The NAACP in a letter to the bus company declared it is determined to break up jim crow in transportation.

Forced Off Greyhound Bus in District, 2 GI's Plan Suit

Afro-American - 3-16-46
Baltimore, Md.

WASHINGTON (NNPA). — Plans to sue the Greyhound Bus Lines were revealed here by two non-commissioned officers ordered off a Greyhound bus on Mar. 4 by a white military policeman at the request of the driver.

The two soldiers, Cpls. Samuel Foshee and Bernard White, both of the 9th Ordnance Training Battalion at Aberdeen Proving Ground, Md., whose case has been accepted by the NAACP, had refused to take seats in the rear of the bus.

Boarding the bus at the Greyhound Bus Terminal, the two corporals took separate seats. However, White joined Foshee in the third seat from the front at the insistence of L. Tucker, the driver, who then ordered Foshee to move.

3-16-46

Ex-Colonel Joins Men

When Foshee refused, Tucker got the Shore Police who, in turn, called Robert Liston of the 300th MP Detachment, who issued the direct order to move to the rear or get off the bus. The two men then got off.

3-16-46

A white discharged lieutenant colonel, a former commander of Tan Yanks in the ETO, also got off, commended the soldiers for their handling of the situation and said he would testify to the injustice they had undergone.

In addition, the Military District of Washington, under whose jurisdiction the 300th MP's operate, revealed that its MP's have no authority to issue such an order, while a Greyhound official said that the driver was absolutely wrong in the action he took.

Greyhound Fines Driver For Putting GIs Off Bus

Chicago Defender
Chicago, Ill.

WASHINGTON — (NNPA) — C. C. Battershall, regional manager of the Pennsylvania Greyhound Bus Lines said last Tuesday that the bus driver who requested a military policeman to order two colored soldiers off a Greyhound bus recently when they refused to take a rear seat had been disciplined by a fine.

The amount of the fine was not disclosed.

Sat. 3-22-46

"You know how it is," Battershall said, "you can talk your head off, but the only language some of these fellows understand is a lick in the pocketbook."

The two soldiers, Cpl. Samuel Foshee and Bernard White, both of Washington, have taken steps to sue the Greyhound lines.

Driver Who Forced GI's Off Bus in D.C. Fined, Action Planned

Afro-American
Baltimore, Md.

WASHINGTON (NNPA).— The regional manager of the Pennsylvania Greyhound Bus said that the driver who requested a military policeman to order two colored soldiers off a bus recently when they refused to take a rear seat had been disciplined by a fine.

3-16-46

The two soldiers, Cpl. Samuel Foshee and Bernard White, both of Washington, have taken steps to sue the Greyhound Lines.

Negro GIs Ordered Off Greyhound Bus By MP

Chicago Defender
Gll.

WASHINGTON, D. C.—Two non-commissioned Army officers were ordered off a Greyhound bus by a white military police here this week when they refused to take seats in the rear of the bus at the demand of the driver.

3-16-46

The two soldiers, Cpl. Samuel Foshee and Cpl. Bernard White, both of the 9th Ordnance Training Battalion at Aberdeen Proving Ground, Maryland, were returning to their station when the incident occurred. They announced their intentions of bringing suit against the Greyhound Company.

Boarding the bus at the Greyhound Bus Terminal in downtown Washington early Monday morning, Corporal Foshee took the third seat from the front of the bus on the right and Corporal White the fourth seat from the front of the bus on the left.

Driver Approaches Men

According to the two men the bus driver, L. Tucker, first approached White and told him he would have to move. Corporal White asked him why. Tucker replied because he told him to move. Upon Tucker's insistence White moved into the seat beside Foshee.

Tucker went to the driver's seat, then returned and told Corporal Foshee he would have to move to the rear of the bus. Foshee asked why.

Tucker then told Foshee he would either have to move to the rear of the bus or get off and that he would not move the bus until Foshee complied with his orders.

Upon being told by Foshee that he would have to get a more competent authority before he would move to the rear or leave the bus the driver got the Shore Patrol (naval military police).

Call Military Police

Foshee told the Shore Patrol that if they wanted him to move they should call in the military police who were standing in sight.

The Shore Patrol then got the military police and M. P. Robert Liston of the 300th M.P. Detachment ordered Foshee to either move to the rear or get off the bus.

Sat.

Foshee pointedly asked the M.P. if it were an order he was issuing and upon being told by the M.P. that it was, called on Corporal White to witness the issuing of such an order.

The two men then got off the bus.

A white discharged lieutenant colonel who had witnessed the incident also got off the bus and commended the soldiers for the intelligent way they had conducted themselves and said that he would bear witness to the injustice which they had undergone.

M.P. Had No Authority

He later revealed that he was a former commander of colored troops in the European Theater of Operations.

The Military District of Washington under whose jurisdiction the 300th Military Police Company operates, stated that its MP's have no authority to issue such an order.

An official of the Greyhound Lines, who asked that his name not be used, said that the bus driver was absolutely wrong in the action which he took and that there is no existing law which would give him the authority to take such action in the District of Columbia.

3-16-46

D. C.

Put Off J-C Bus, Vet Asks $10,000

Washington Tribune

Declaring that while under orders of his military superiors and enroute from Washington to Aberdeen, Md., he was forcibly ejected from a bus in violation of his civil rights, War Veteran Samuel G. Foshee, 2111 I St., N.E., last week filed suit for $10,000 damages against the Greyhound Bus Lines, Inc., 1110 New York Ave., N.W.

Veteran Foshee states that he boarded the bus as an interState passenger on last March 4, and occupied a seat near the center of the vehicle.

G-11-46
Trees

The complaint, filed by A. L. Fickling, attorney, says that the bus driver ordered the soldier to move to the rear. When the soldier declined the invitation, the driver, according to the suit, caused military policemen to board the bus and order the traveler off.

Washington, D.C

Mr. Foshee asserts that he was a soldier on active duty and subject to obey the orders of the M.P's.

The soldier further declares that as a result of his forcible ejection, he was prevented from complying with orders of his superiors for arriving in Aberdeen at the hour and time indicated.

For the physical pain and embarassment he suffered, Mr. Foshee demands $10,000 costs of the litigation, and a jury trial.

Refuse Rear Seat, Soldiers Ordered Off Bus in D. . .

Washington Tribune, D.C.
Tues 3-12-46

By JAMES L. HICKS
NNPA Staff Writer

Two no-commissioned officers in the United States Army were ordered off a Greyhound bus in the heart of the Nation's Capital by a white military policeman last Monday when they refused to take seats in the rear of the bus at the request of the driver.

The two soldiers, Corporal Samuel Foshee and Corporal Bernard White, both of the 9th Ordnance Training Battalion at Aberdeen Proving Ground, Maryland, were returning to their station after spending a week-end with their families in Washington.

Both men have announced their intentions of suing the Greyhound Bus Lines and the NAACP legal staff has already accepted the case.

Boarding the bus at the Greyhoun Bus Terminal in downtown Washington early Monday morning, Corporal Foshee took the third seat from the front of the bus on the right and Corporal White the fourth seat from the front of the bus on the left.

Ordered to Move

According to the two men the bus driver, L. Tucker, first approached White and told him he would have to move. Corporal White asked him why. Tucker replied because he told him to move. Upon Tucker's insistance and that he would not move the bus until Foshee complied with his orders.

Upon being told by Foshee that he would have to get a more competent authority before he would move to the rear or leave the bus the driver got the Shore Patrol (naval military police).

M. P. Called

Being a non-commissioned officer and conversant with army regulations, Foshee pointedly asked the M. P. if it were an order he was issuing and upon being told by the M. P. that it was, justice which they had undergone.

A white discharged lieutenant colonel who had witnessed the incident also got off the bus and commended the soldiers for the intelligent way they had conducted themselves and said that

Returned Home

After going to their homes, the two soldiers returned to the bus terminal and rode a later bus back to their camp.

The Military District of Washington under whose jurisdiction the 300th Military Police Company operates told NNPA Monday that its MPs have no authority to issue such an order.

Both Corporal Foshee and Corporal White are married and live in Washington. Corporal White is the father of two children. Both men have more than 18 months service in the army.

House Beats Down Effort to End J.C.

Afro American Baltimore Md. Sat 4-13-46

WASHINGTON — (NNPA) — The House last Friday, by a vote of 122 to 49, rejected an amendment to the 1947 District of Columbia appropriation bill, aimed at breaking up race segregation in public facilities in the Nation's Capital, including parks, hospitals and the public school system.

Rep. Adam Clayton Powell, Jr., (Dem., N.Y.) offered the amendment. It would have barred the use of funds carried in the bill to any agency of the District government which practices race segregation "in employment, facilities afforded, services performed, accommodations furnished, instructions or aid granted."

As soon as the amendment was read, Rep. John E. Rankin (Dem., Miss.), leader of the "white trash bloc" in the House, made the point of order that the amendment was not germane and constituted legislation on an appropriation bill.

"This amendment, if adopted, would destroy the school system of the District of Columbia," Rankin cried. "It would stir up race hatred and bring about race trouble, the like of which nothing else has ever done in all the history of the District." Sat 4-13-46

Backed by Coffee

Rep. John M. Coffee (Dem., Wash.), chairman of the House District of Columbia appropriations subcommittee, who is regarded as a liberal, also made the point of order that the amendment incorporated a legislative provision in an appropriation bill in violation of the rules.

The further point of order that the amendment was a limitation on an appropriation bill, without retrenching expenses was made by Rep. Howard W. Smith (Dem., Va.).

Rep. Vito Marcantonio (A-L, N.Y.), spoke against the points of order, contending that segregation doubled "the number of administrative offices, the number of facilities, and the expenditures thereby are increased" and the amendment would definitely be a saving to the Treasury.

Rep. Aime J. Forand (Dem., R.I.), presiding held that the amendment was a proper limitation and overruled the points of order.

Couldn't Play Tennis

Speaking in favor of his amendment, Mr. Powell told the House that he would not be allowed to play tennis here because certain parks are set aside for colored people.

A doctor here, to whom he was referred by a New York specialist, Mr. Powell said, could not treat him because there was no hospital to which he could take a colored patient.

What is done in the District of Columbia, Mr. Powell contended, "should be a reflection of the best that is in a democracy." He added that, "Unless it does reflect the best that is to be found in a democracy then we are not living up to the highest ideals of our Constitution and our Declaration of Independence."

He asked the House "to make the District of Columbia at least safe for the kind of democracy that our men shed their blood for, and which is being denied here in the District of Columbia to the most loyal element of this democracy." Sat 4-13-46

Texan Opposed

"There could be no quicker way of stirring up trouble between the races not only in the District of Columbia but all over this nation," said Rep. W. R. Poage (Dem., Texas), "than to pass this kind of legislation."

"The District of Columbia, I submit," said Mr. Marcantonio, "is still the Capital of all the United States. In the District of Columbia there are people from all parts of America and I submit that it is not asking too much that here in the District of Columbia we practice the fundamental precepts of democracy that we are asking all of the world to practice at this time."

As to the cry of race riots, Mr. Marcantonio said, "The denial of equality and equal opportunity is the cause of race disturbances," adding, "Remove the cause—segregation and discrimination—and you solve the problem of race relations."

Mr. Marcantonio said "race riots are incited by domestic Fascists and advocates of white supremacy."

Favors Ending Jim Crow

Noting that the minds of the members of the House were already made up, Rep. Hugh De Lacy (Dem., Wash.) suggested, "Let us put the children together under the right kind of supervision, intelligent, trained people with understanding and tolerance in their hearts, and let our Americans grow up together in understanding and common sympathy."

"What is the trouble in the District now that brings about the necessity for trying to force white children to go to school with colored children?" asked Rep. Harold D. Cooley (Dem., N.C.).

"The trouble is not in the District; the trouble is in the Nation," replied Mr. De Lacy. "The trouble is in the world.

"In this great Capital the statue of freedom that stands on the top of this building is a symbol to the people of the United States; it is a symbol to the world of freedom and equality. Sat 4-13-46

No Segregated Schools

"In my district in my great State there is no discrimination in the schools, and there are no race riots."

"If there is no trouble in the District, why should we disrupt the customary system which has existed here through the years?" asked Mr. Cooley.

"Because as long as this dark blot of discrimination and inequality rests over the shadow of our United States, so long will our voice be stilled for justice and its edges blunted in the councils of the world," replied Mr. De Lacy.

Rep. Andrew J. Biemiller (Dem., Wis.) was deplored that "again the red herring of communism has been dragged across the floor."

He referred to the charge of Rankin that the Powell amendment was "inspired from Communist sources and that the FEPC is inspired from Moscow."

Rankin Scored

Rankin, wittingly or unwittingly, Mr. Biemiller said, has charged the City Council of Milwaukee with being Communist, it having passed within the past ten days by a unanimous vote a city FEPC law.

None of the members of that city council, he said, "by the wildest stretch of anyone's imagination, are members of the Communist party."

Mr. Biemiller said he believes firmly in equality of opportunity. "I feel that in the Capital of the United States we have a right to expect that the customs which prevail in the major part of the country should be the customs which prevail here."

"The majority of Americans, I am convinced," he added, "are opposed to the discrimination that has been practiced in our Capital City."

Slash Funds for Teachers

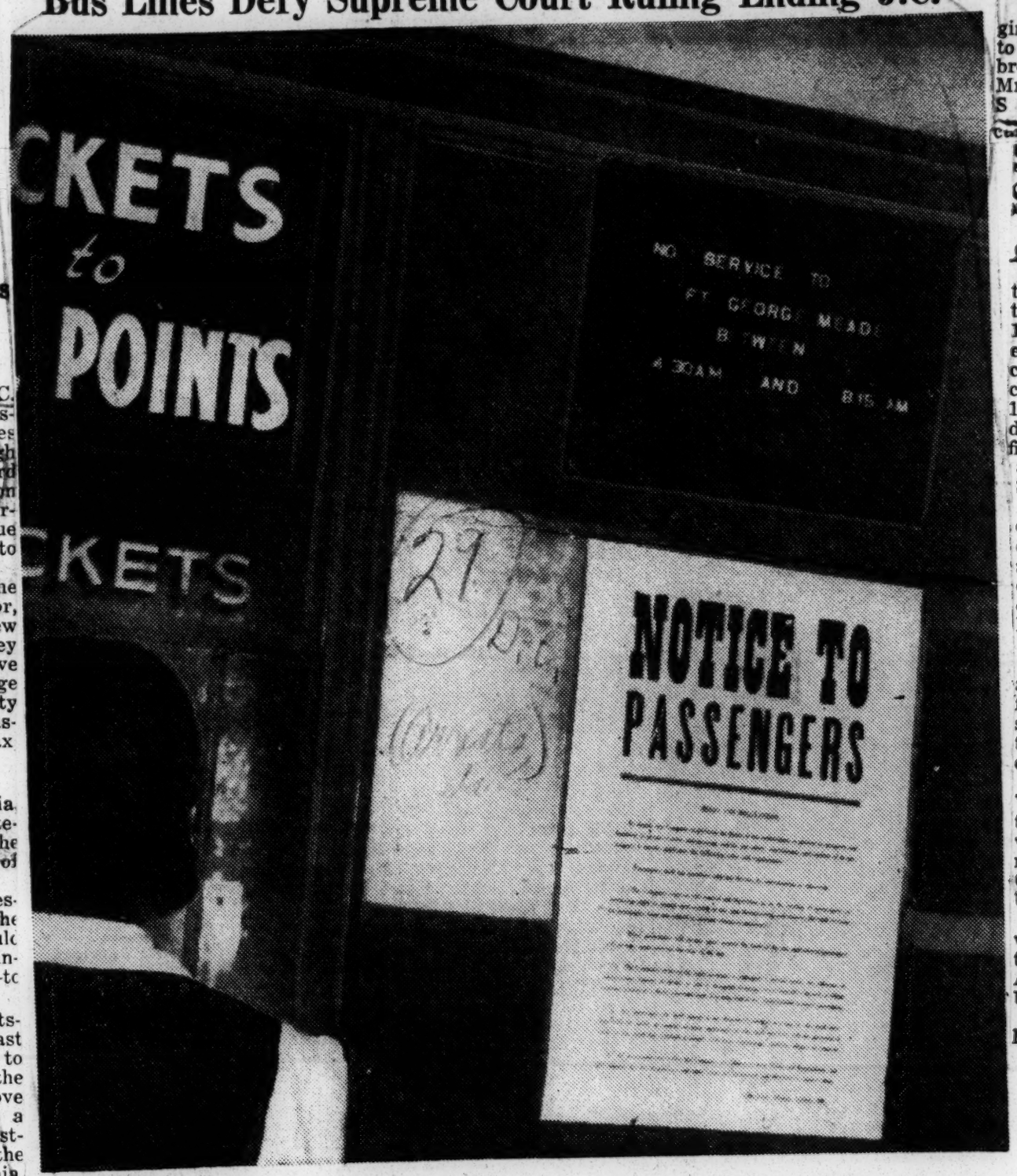
One of the things which prompted Mr. Powell to offer his amendment was the slashing of funds for additional teachers. School officials asked for salaries for thirty-six additional teaching positions—six in the white divisions and thirty in the colored divisions.

The House appropriations committee noted that in schools operating double shifts teachers are required to teach only three and one-half hours a day and urged the Board of Education to utilize a greater portion of the teachers' time. It added that it believed that "through proper administrative procedures the need for additional teachers can be met by adjusting hours of teachers now employed." Sat 4-13-46

The enrollment in the colored divisions has increased by 1,424 pupils since last year. School officials asked for nineteen additional teachers for the colored vocational high schools, and two for the colored senior high schools.

There are 104 part-time classes in the colored elementary schools with 4,115 pupils involved, and two colored junior high schools on double shifts with 3,164 pupils involved, making a total of 7,279 colored pupils who are receiving only part-time education.

Bus Lines Defy Supreme Court Ruling Ending J.C.



The above poster, snapped by an AFRO photographer, was recently posted in the Trailway Bus Terminal, 12th and New York Ave., N.W., in Washington, giving the new rules and regulations set up by the Virginia Stage Lines Incorporated. The sign defies the recent ruling of the Supreme Court which ended jim crow on buses, and declares that white passengers will seat from the front of the bus and colored passengers from the rear.

Decision Is Appealed Immediately

Daily World
Atlanta, Ga.

Lawyer Contends Supreme Court Has Ruled On Travel

Wed. 9-25-46

WASHINGTON, D.C. —(NNPA)—A test of the question of whether bus companies may segregate passengers through company regulations in disregard of the Supreme Court decision banning such segregation in pursuance of a state law as an undue burden on commerce appeared to be certain here last Friday.

The test case arises out of the fining of Mrs. Lottie E. Taylor, 31-year old housewife, of New York City for refusing to obey the order of a bus driver to move to the rear of a Virginia Stage Lines bus. She was found guilty of disorderly conduct by Trial Justice Harry Carrieo in Fairfax (Virginia), Trial Court.

Immediate Appeal

James H. Raby, of Alexandria Virginia, her attorney, immediately announced he would appeal the decision to the Circuit Court of Fairfax County, Virginia.

Thomas Cheres of Charlottesville, Virginia, attorney for the bus line, said his company would welcome appeals "up to and including the Supreme Court—to clear the issue."

9-25-46

James M. Garrett of Charlatsville, the bus driver, testified last Friday that he "suggested" to Mrs. Taylor when she boarded the bus in Washington that she move from the middle of the bus to a rear seat and "formally requested" her to move to one when the bus reached Falls Church Virginia. In Fairfax, upon her third refusal, he obtained a warrant for her arrest on the disorderly conduct charge based on her refusal to comply with company regulations.

Move For Dismissal

Raby moved last Friday to dismiss the suit on the grounds that "the Supreme Court has ruled that interstate common carriers have no right to regulate seating of passengers."

Cheres countered that the Supreme Court ruling was directed against State interference with interstate commerce and not on "company regulations based on custom, usage and tradition."

Raby has been retained in the test case by the National Association for Advancement of Colored People.

Jim Crowed Sues For $10,000

The Defender
Chicago, Ill.

Because Samuel G. Foshee, of 2111 Eye st., was forceably evicted from a bus in the Washington, D.C., terminal, last March 4, when he refused to move into the "Jim Crow" section, he filed suit in the Federal court last week for $10,000 damages.

The complainant states that at the time he was a soldier attached to the Aberdeen, Md., base. That after being evicted, he was unable to obtain transportation until several hours later and as a result was made to overstay his leave. That he received physical injury and was caused deep mental anguish.

Sat. 6-22-46

The complaint charges the Greyhound Bus Lines of that city with breaking its contract and infringing on Foshee's rights as a citizen.

Drivers By-Pass Ban on Bus J.C.

The Afro-American
Baltimore, Md.
Sat. 7-6-46 WASHINGTON

Indignant Southern bus drivers, pratically disregarding the U.S. Supreme Court's decision banning separation of races on interstate bus lines, are resorting to foul tactics to separate passengers.

Miss La Eunice Brown, cafeteria hostess at Camp Lee, Va., waiting to board a bus in Portsmouth, Va., along with 10 or 12 whites, was compelled to wait until all the whites were aboard.

Boards Whites First

The driver maneuvered the seating by reaching around Miss Brown and taking the tickets of all the whites, making it possible for them to occupy all the front seats together.

Baltimore

Miss Brown, graduate of Virginia State College, was en route to Washington for a visit with her brother and sister-in-law, Mr. and Mrs. Leonard R. Brown, of 989 S St., N.W., when the incident occurred.

Baltimore Sat. 7-6-46

$30,000 Asked of Southern Railroad

The Afro-American
Baltimore, Md.
Sat. 9-21-46 WASHINGTON

Declaring that a provision of the Interstate Commerce Act and the equal protection clause of the 14th Amendment had been violated when they were refused dining car service solely because of their color, Bishop Cameron C. Alleyne, 1715 W. Montgomery Ave., Philadelphia, and his wife, last week filed suit for $30,000 damages against the Southern Railway System, 15th and K Sts., N.W.

Bishop Alleyne, superintendent of the Fourth Episcopal District of the AMEZ Church, and his wife state that the incident occurred on last Aug. 9, when they were en route to Philadelphia from Knoxville, Tenn.

Sat. 9-21-46

Whites Got Service

They emphasize that dining car accommodations were provided for the white travelers, but the steward refused them service and they had to leave the diner without receiving any food.

Baltimore, Md.

The complaint, filed by Belford V. Lawson Jr., specifically states that failure of the system to provide all passengers equal accommodations violates the Interstate Commerce Act, Sec. 3 (1) 49, U.S.C.A., Sec. 3 (1).

Afro-American

The couple contend that they were denied their rights in violation of Sec. 1, of the 14th U.S. Amendment to the Constitution, U.S. Revised Statutes, Sec. 1977.

The bishop requests $15,000 and his wife a similar amount.

Jim Crow Lesson — Hit Them In The Pocketbook!

JACKSONVILLE, Fla.—Delta Airlines got a "new deal" which proves Jim Crow is expensive.

Here's the story William Worthy Jr., writer and field secretary of the Workers Defense League tells this week.

"On a plane fare of $6.10 from Savannah to Jacksonville, Delta Airlines had to pay out $2 for a special cab for me from the Jacksonville airport to the city. A clerk, expressing his regrets to me, said the company used to carry all passengers in the limousine until the New Deal Cab Co., forced through an ordinance setting a $250 fine for carrying mixed passengers.

"I can well believe the airline does not like this restriction since it hits their pocketbook—in my case to the tune of 33 per cent of the plane fare."

Fla. Jimcro Hits Singer

Though the Jacksonville, Fla., Bus Company had been commissioned by the National Airlines to convey passengers from that city to its airport, Muriel Rahn, concert singer, was forced to hire a private taxi in order to make a 7:20 am plane on Jan. 15. She was told curtly by the bus driver that he transported "no nigger passengers."

Miss Rahn, who was on her way to New Orleans to make a concert engagement, ran into further difficulties when, after boarding the plane in Jacksonville, it was grounded in Tallahassee due to weather conditions. With $5 added to the refunded passenger fee from the airline, another bus agreed to drive the stranded travelers to New Orleans. All went well until the bus broke down near Pensacola. Miss Rahn, being the only Negro, was forced to weather the bitter cold and rain for eight hours while the bus was being repaired because the proprietor of a near-by inn ordered her out of the place. Miss Rahn finally arrived in New Orleans twenty-four hours after she was scheduled to sing.

According to Dick Campbell, Miss Rahn's husband, Attorney Harrison Jackson, is exploring the possibilities of bringing suit against the National Airlines for their gross neglect in making the necessary provisions for transporting passengers to their destinations on schedule. Reservations were made from New York.

Singer Forced to Sit in Bus Eight Hours, May Sue Airlines

NEW YORK.—The National Airlines may face a suit for discrimination because of the act of its commissioned agency at Jacksonville, Fla., against singer Muriel Rahn, Dick Campbell, her manager-husband of New York, told the AFRO this week.

The action hinges on the refusal of a Jacksonville bus company's bus driver to take Miss Rahn to the Jacksonville Municipal Airport where she was to board a National Airlines plane at 7:20 a. m. on Jan. 15 for New Orleans. She finally had to secure a private taxi to get to the airport in time to make the plane.

Though the bus company had been commissioned by the airlines to convey passengers from the city to the airport, and vice versa, the bus driver refused Miss Rahn entrance to the bus because of her color. "No n---r passengers!" was the curt answer received when she asked to go along with the rest of the passengers.

Sat in Bus Eight Hours

To make matters worse, the plane, which she finally made, was grounded at Tallahassee due to weather conditions. No attempt was made by the airline officials to secure other passage from Tallahassee onward. However, an enterprising bus driver offered to take the passengers to their destination, New Orleans, for a fee.

This might have helped, but the bus broke down near Pensacola. All the passengers sought refuge from the cold, rain and sleet at a roadside inn while the driver worked on the bus, but again old jim crow singled out Miss Rahn.

The Florida inn proprietor ordered her out of his place and she was forced to go back to the bus and sit eight hours in the cold until the journey could be resumed. She finally arrived in New Orleans 24 hours later.

Miss Rahn, singing star of 'Carmen Jones," now on a nationwide concert tour, had a word to say about the State of Florida, following the incident. "Florida," she said, "is not a State; it's a condition. And a stinking one!"

Bus Driver Beaten

The Whip, Miami, Fla.

An unidentified white man fled from an inbound Liberty City bus at 19th Street and Third Avenue last Friday night at 5:10 o'clock, following an attack on the operator, Robert D. Colcon, who suffered bruises and lacerations of the face.

According to witnesses, the man boarded the bus at 10th Avenue and 36th Street, and refused to get in line behind an orderly group of Negroes, who entered the bus one by one. The white man forced his way into the bus, and when told by the conductor that he was wrong in doing so, pushed his way through to the rear of the bus, refusing to pay his fare. Sat. 9-14-46

An argument then ensued between the driver and the recalcitrant passenger, and the latter turned on the operator, beating him about the head and face. When Negro passengers went to the aid of the attacked man, his assailant wheeled around as though about to draw a revolver, and defied the crowd to keep away. In the meantime, a police officer had been dispatched to the scene of the trouble, but the man had gone.

Anti Jim Crow Rule Gets Test

The Defender

Chicago, Ill.

Effort Made To Include Railroads

Sat. 6-22-46

JACKSONVILLE, Fla. — A test suit to determine whether the Supreme Court's anti-Jim Crow ruling can be extended from busses to include railroads was being prepared this week in the case of Mrs. Mae Watkins of New York City, who was fined and jailed for refusing to board a Jim Crow car here.

Meanwhile Circuit Judge David H. Eddington in Mobile, busily deplored the abolition of segregation in travel, while in Nansemond County, Va. 23 white Army inductees refused to sit with Negroes in a bus taking them to Richmond.

All three incidents pointed to a hard fight to make the court's 10-day-old ruling effective in the South.

Mrs. Watkins, a seamstress and wife of a night club waiter, lives at 318 W. 135th st., in New York and is being represented in her action by attorneys for the local branch of the NAACP, S. D. McGill and Releford McGriff.

Red Cap Notifies NAACP

The local NAACP became involved in the case the night of Feb. 28 when a red cap at Union Station called Theodore Redding, local president, and told him of the arrest of Mrs. Watkins by two Jacksonville police officers.

Through Atty. E. R. McIllrath, white, Redding arranged for the release of Mrs. Watkins from the city jail pending her trial March 2 on charges of violating the state separation law and disorderly conduct.

Mrs. Watkins boarded the Champion with a ticket calling for seat 15 in car CH8 at Pennsylvania Station in New York City. Her destination was West Palm Beach. The Champion is a combination Pullman and reserved seat coach train.

She rode without incident until she reached Jacksonville where two officials of the Florida East Coast Line, a traffic agent and a conductor, ordered her to give up her assigned seat and accept another in a Jim Crow coach. When Mrs. Watkins refused, two local police officers were summoned.

They tried to persuade her to change her seat and when she refused, took her off the train under arrest. Her conversations with both the railroad officials and the police officers were orderly and quiet.

"Guilty" On 2 Counts

At the local police court hearing she was found guilty on both charges and fined a total of $50.

The NAACP immediately called upon McGill, chairman of the local NAACP legal redress committee, and his associate, McGriff, who filed an appeal with the Duval County Circuit Court.

In Mobile, warning that abolishment of segregation in transportation would injure the harmony between races, Judge Edington declared that a minority cannot "force upon a majority a condition they oppose without irritating, or serious results."

Prominent in Southern judicial and civic groups, the judge said: "There is no such thing as social equality, even within races. No one can by law make me choose a social relationship.

Court Ruling "Unwise"

"There is segregation in travel, but I am sure that substantial citizens of both races feel this wise. The abolishment of this condition for political reasons, which would but raise up irritating incidents that would injure the harmony between races, is certainly unwise."

In getting off the Greyhound bus at Suffolk, the white youths complained that Negro passengers had occupied more than half the bus seats.

M. P. Spivey, in charge of the Suffolk inductees, backed the youths in their decision to leave the bus. He reported that the men left the bus of their own accord and said "we are waiting for the next bus, but if we have to sit with Negroes we will keep on waiting."

When two more busses arrived, the whites faced the same dilemma, but refused to sit beside Negro passengers. When told of the Supreme Court ruling they stuck to their original decision. At 11 a.m., four hours after they were scheduled to depart, they boarded a bus with fewer Negro passengers, all occupying rear seats.

Negro passengers refused to double up in the first three busses, though there were sufficient seats for all if they had followed the Old Jim Crow arrangement.

Sparks Calls Court Rule Unrealistic

Segregation Decision Branded Ku Klux Klan Fertilizer For Nation

Buses Will Comply

Louisiana Will Continue To Enforce State Laws Regardless Of Decision

The decision of the Supreme Court yesterday saying a State cannot require segregation of white and Negro passengers in buses crossing State lines interferes with the rights of the States to conduct their internal affairs, Gov. Chauncey Sparks said yesterday when told of the decision.

"When that right is completely denied, we no longer have a nation composed of sovereign States," the Governor added.

Gov. Sparks said he thought the States should be permitted to regulate their own social affairs, and require, in the interest of peace and harmony, only such segregation as is necessary and will not be a burden.

Aid to Klan

"Decisions of this kind are fertilizer for the Ku Klux Klan," he declared.

He added that people who "promote this kind of stuff" are not realists.

"They are trying to inflict social equality on the South," Gov. Sparks stated. "I have said it before and I stick to it. They are not going to do it."

The Governor said he thought segregation in schools, churches, dining halls and the like did not mean the Negroes did not have adequate accommodations, that they were only separate accommodations. And if conflict is to be avoided in the future the races must be developed in their own spheres, he continued.

Makes Prediction

It was predicted by the Governor that the decision will lead to demands in other things, such as facilities controlled by the States.

The State's chief executive said that two things were fundamental:

1. Absolute segregation, and 2, independent racial development with equal opportunities for both races.

"Leading Negroes of the South will not differ from this position," Gov. Sparks said.

Contempt Conviction Of Paper Over-ruled

WASHINGTON, June 3.—(AP)—The Supreme Court today knocked out Virginia's Jim Crow law requiring separation of whites and Negroes on interstate buses. Ten other States have such statutes. In a series of nationally important decisions, the court also:

1. Over-ruled a contempt conviction of The Miami Herald and its associate editor, John D. Pennekamp, in a unanimous opinion accompanied by three others all supporting the right of a newspaper to criticize court actions.

2. Held Congress violated the Constitution in trying to fire three individuals by cutting off their salaries over asserted subversive activities.

3. Again upheld a State's right to tax premiums of out-of-State insurance companies—in this case South Carolina whose three per cent levy was questioned because the court had ruled in 1944 that insurance was interstate commerce. Fifteen other States have such laws.

The 6-1 decision in the Jim Crow case was based upon a finding that the 16-year-old Virginia statute is a burden on interstate commerce in violation of the Constitution. The majority opinion, again written by Reed, noted that Irene Morgan, a Negro, involved in the case, was required to change seats in the course of her journey from Gloucester County, Va., to Baltimore, Md.

"Interstate passengers traveling via motor between the North and South or the East and West may pass through Virginia on through lines in the day or in the night," Reed wrote. "The large buses approach the comfort of pullmans and have seats convenient for rest. On such interstate journeys the enforcement of the requirements for reseating would be disturbing."

The opinion concluded that "seating arrangements for the different races in interstate motor travel require a single, uniform rule to promote and protect national travel."

Burton Dissents

Justice Frankfurter took exception to that in a separate concurring opinion but agreed that the Virginia act was a burden on commerce.

Burton in his dissenting opinion observed that "the undue burden upon interstate commerce thus relied upon by the court is not complained of by the Federal government, by any State or any carrier."

He noted that laws similar to the one in Virginia are in effect in North Carolina, South Carolina, Georgia, Alabama, Mississippi, Louisiana, Arkansas, Texas and Oklahoma. Not only could these laws be invalidated by the majority decision, he said, but the laws of 18 other States which prohibit racial discrimination on buses also might be affected.

CHARLESTON, W. VA., June 3.—(AP)—Immediate compliance with a Supreme Court ruling that States cannot require segregation of whites and Negroes on interstate buses was indicated tonight by the Atlantic Greyhound Corporation, which operates in most of the so-called "Jim Crow" Southern States.

"We will naturally comply with whatever the Supreme Court of the United States says is the law," said George S. Engle, executive vice-president and general manager of Atlantic Greyhound.

Louisiana Will Defy High Court Decision

BATON ROUGE, LA., June 3.—(AP)—Louisiana will continue to enforce its laws relating to segregation of races on buses and trains in interstate commerce despite today's decision by the United States Supreme Court that such segregation in buses crossing State lines is illegal, Clayton Coleman, acting secretary of the Louisiana Public Service Commission, declared today.

Local Buses Operate Out Of City As Usual

E. R. McRae, manager of the Montgomery bus terminal served by Southeastern Greyhound, Teche Greyhound, Crescent Stages, Capital Motor Lines, Ingram Bus Line and the Monroeville Bus Line, said last night that there has as yet been no order against the regular policy of segregation of white and Negro passengers passed down by the bus companies.

Of yesterday's U. S. Supreme Court's decision that a State cannot require segregation of white and Negro passengers in buses crossing State lines, Mr. McRae said that the present policy of reserving separate sections for colored passengers will continue "until we hear differently."

Of the six bus companies serving Montgomery, five give out-of-State passenger service, the Ingram Bus Line to Auburn being the only intra-State line.

Bus drivers last night on the 7 p.m., Montgomery-Columbus schedule, the New Orleans-Atlanta run which departed at 7:20 p.m., and the Jacksonville-Birmingham schedule which left at 7:15, all reported present segregation policies "still prevailed" and most drivers when queried had not heard of the recent court decision.

'JIM CROW' BARRED IN INTERSTATE BUS

Supreme Court, 6 to 1, Voids Virginia Statute on Ground 'Uniformity' Is Required

EQUALITY NOT THE ISSUE

Burton, in Dissent, Contends Congress Thinks Question Is Better Met by Local Laws

Special to THE NEW YORK TIMES.

WASHINGTON, June 3—Racial segregation of passengers on buses crossing State lines was held unconstitutional by the Supreme Court by a six to one decision today.

In a majority opinion by Justice Stanley F. Reed, the tribunal struck down a Virginia statute forcing separation of white and Negro travelers on interstate buses.

Justice Harold H. Burton dissented, while Justices Hugo L. Black and Felix Frankfurter presented concurring opinions.

The Reed finding upset a decision of the Virginia Supreme Court of Appeals. Irene Morgan, a Negro, had been arrested and fined $10 when she refused to change seats on request of a bus drive. She was traveling from Gloucester County, Va., via the District of Columbia to Baltimore and was fined in the court at Middlesex County, Va.

Uniformity Held Necessary

Justice Reed based his decision on the conclusion that the Virginia law imposed an undue burden upon interstate commerce, where, he held, "uniformity" was necessary. The question of racial equality was not before the court.

Justice Burton, dissenting, denied that there existed a requirement for uniformity and declared that it was a fundamental concept of the Constitution that diversified treatment should match diversified needs.

The Supreme Court had been asked to rule (1) whether the Virginia law was repugnant to the Congressional power to regulate commerce between the States; (2) whether the powers reserved to the States allowed them to regulate segregation on interstate buses.

"As there is no Federal Act dealing with the separation of races in interstate transportation," said Justice Reed, "we must decide the validity of this Virginia statute on the challenge that it interferes with commerce, as a matter of balance between the exercise of the local police power and the need for national uniformity in the regulations for interstate travel.

Virginia Statute Held Invalid

'It seems clear to us that seating arrangements for the different races in interstate motor travel require a single, uniform rule to promote and protect national travel. Consequently, we hold the Virginia statute in controversy invalid."

Justice Reed thrust aside the Virginia court's argument that the law was passed "to avoid friction between the races."

In his dissent, Justice Burton said he did not consider the majority correct in assuming that "there exists today a requirement of a single uniform rule on the subject."

"It is a fundamental concept of our Constitution," he went on, "that where conditions are diverse the solution of problems arising out of them may well come through the application of diversified treatment matching the diversified needs as determined by our local governments."

Justice Burton said he thought the "inaction of Congress is an important indication that, in the opinion of Congress, this issue is better met without nationally uniform affirmative regulation than with it."

He declared that the "fact that eighteen States have prohibited in some degree racial separation in public carriers is important progress in the direction of uniformity." Only Congress, he added, could supply "affirmative national uniformity of action."

Test Case Expected

Justice Burton said that on the precedent of the Morgan case, the laws of ten States requiring segregation might be invalidated because they were not uniform; and contrastingly the laws of the eighteen States prohibiting segregation might be questioned because they were not similar. Twenty States, he noted, had not gone so far in either direction.

While the Irene Morgan decision was regarded as of the utmost importance, its impact upon nine other States demanding racial segregation was not immediately clear. The opinion did not set forth which of these State laws applied the so-called "Jim Crow" laws to interdstate travelers. Nevertheless, it was understood that test cases would be hastened wherever the precedent of the Irene Morgan case could be employed.

Justice Black, although concurring in the majority opinion, said he still believed that Congress and not the courts, could regulate interstate commerce. But he said that precedents of cases "decided in recent years over my protest," by the Supreme Court, forced him to go along with the majority.

Justice Frankfurter concurred chiefly on the basis of a 70-year-old case.

Dixie Railroads Study Supreme Court Bus Decision

WASHINGTON

There was a growing belief in legal circles that the Supreme Court's decision banning segregation on interstate buses, also spelled the end of jim crow on railroads, boats and airplanes. Meanwhile officials of several Southern railroads admitted to the AFRO that their legal advisors were making a careful study of the decision. From two sources in Virginia, the State where bus segregation was killed, came statements of confidence that the decision was equally applicable to railroads.

A. P. Staples, Virginia's attorney general, frankly expressed the informal opinion that it was drawn broad enough to include all forms of interstate transportation.

Spottswood Robinson 3rd, counsel for the Richmond branch, NAACP, who originated the Irene Morgan case, responsible for elimination of jim crow, said that "it appears without a doubt" the court's ruling will apply to railroad and steamboat travel.

Railroads Apprehensive

Many Southern railroads appeared apprehensive that the decision would mean the end of the dreaded jim crow car in Dixie.

C. F. Alexander, assistant manager of the Atlantic Coast Line, said Friday he expects his company to take some action soon on the question of interstate travel.

As soon as the bus decision was announced, Mr. Alexander said, the general counsel of the ACL at the headquarters in Wilmington, N.C., telegraphed for a copy of the court's opinion. Officials are now studying the decision, he added.

L. M. Abbott, general solicitor of the Southern Railway Co., said he was not in a position to make any statement concerning the future policy of the road toward segregation of its passengers until S. R. Prince, general counsel, returned from New York, where he is studying the decision.

Seaboard Unchanged

Howard M. Black, manager of the Seaboard Airline Railroad, said his office had received no instructions from the general headquarters at Norfolk, Va., as to changes of policy regarding interstate travel.

The Washington manager of the Chesapeake & Ohio Railroad, C. E. Bowen, said he had received no instructions from his main office to make any changes respecting segregation of passengers traveling interstate over that road.

Norman Call, president of the Richmond, Fredericksburg and Potomac Railroad, said attorneys of that road were studying the court's decision and that for the present, at least, there would be no change in the company's policies.

He said colored passengers on that road ride in separate cars or in cars which have partitions separating white and colored travelers. The accommodations for colored passengers are equal to those for whites, he insisted.

Postscript On Supreme Court's Bus Law Decision

THE DECISION handed down last week by the United States Supreme Court, holding invalid the Virginia law which requires separate seating arrangements for passengers on interstate busses is one of the most highly significant ever rendered by the nation's highest tribunal.

The majority opinion, presented by Justice Reed states: "Interstate passengers traveling via motor between the North and South or the East and West may pass through Virginia on through lines in the day or in the night. The large busses approach the comfort of Pullmans and have seats convenient for rest. On such interstate journeys the enforcement of the requirement for reseating would be disturbing . . . Seating arrangements for the different races in interstate motor travel require a single, uniform rule to promote and protect national travel."

Although the decision, in so far as has been ascertained up to now, does not void segregation in intrastate bus and rail travel, it presents an opportunity to rid, through legal steps, our southern transportation of the unnecessary evil. Such invalidation would be in keeping with the more progressive outlook of the South, and consistent with the Supreme Court's ruling of "a single, uniform rule to promote and protect national travel."

The High Court's decision was given in the Irene Morgan case. Mrs. Morgan, who was traveling from Gloucester County, Virginia, to Baltimore, Maryland, on a Norfolk-Baltimore bus, refused to move to the rear of the carrier when ordered by the driver. She was arrested and fined and chose to note an appeal. An unfavorable decision upholding the lower court's verdict was subsequently handed down by the Virginia Supreme Court of Appeals and an appeal was then made to the United States Supreme Court.

The case was handled by a brilliant NAACP legal staff including William H. Hastie, now governor of the Virgin Islands, Thurgood Marshall, and Spotswood Robinson III.

Ten southern states are directly affected by the momentous decision but already from Florida and Georgia have come rebellious statements indicating they will not comply with the mandate. It is not beyond the realm of possibility, in view of the iron-clad policy of racial separatism to which all of them cling so stubbornly, to expect others to follow suit.

And therein is imposed upon the Negro Americans who live in the South an obligation to prove without doubt that bus travel, as well as all other modes of passenger transportation, does require "a single, uniform rule to promote and protect . . . ." and that the decision rendered by the Supreme Court is not one for experimentation but is both humane and practical.

This cannot be achieved by the senseless yelling of hosannas, lack of common courtesy; or lack of personal pride and common decency in carriers. Not to be overlooked and specified is the habit of thoughtless persons who persist in needless mouthing and clowning.

Through the use of restraint and courtesy while exercising the privilege derived from the Supreme Court's decision, the pattern of southern segregation can be eliminated. Without doubt, bigots of the deep South will utilize every available device to prove that "a single, uniform rule" in national travel is impractical.

Greyhound Officials Shirk Responsibility in JC Issue

(Other Stories on Page 11)

NEW YORK—The Greyhound Bus Company as a whole is taking a hands-off stand in regard to interstate bus travel in the South, an unofficial spokesman for the company told the AFRO last week.

In announcing the company's refusal to accept responsibility for abiding by the Supreme Court's decision outlawing interstate bus travel jim crow, the speaker, a secretary to a vice-president, said that the company has made no plans whatsoever.

Declaring that the State laws govern the individual units operating in the South and not the company, he said further that those branch offices must determine their own reaction to the decision.

In explanation, he said that New York headquarters was concerned only with bus travel in Eastern States, where segregation was not enforced and, therefore, that headquarters could not account for the new policies of the Southern branches.

Difficulty Anticipated

Insisting that bus drivers were obeying segregation laws of the States in which they operated, and not acting upon company orders, the spokesman stated that it would be very difficult for drivers to differentiate between interstate and intrastate passengers.

Concluding, he said that the new ruling against interstate segregation sounds good in theory but expressed belief that working it out and making it a practice would prove quite difficult.

Segregation On Busses

The recent Supreme Court ruling in regard to segregation on busses and trains in interstate travel has turned into a very controversial issue. It becomes publicized that no segregation is allowed on interstate carriers, whereas, actually, the ruling reads that no State can make a Jim Crow law of any kind in regard to interstate transportation. Such controversy, however, has offered the Negro very little protection against segregation.

The difficulty of enforcing the ruling was revealed to me in a recent trip I took on a Southeastern Greyhound bus. On the night of June 27, 1946, the bus stopped a few miles out of Evansville, Ind., took on passengers, and the driver requested the white passengers to stand aside and let the colored passengers pass to the rear of the bus. Upon arrival at Paducah, Ky., the driver requested all Negroes to move to the rear so that the bus was perfectly segregated. On arrival at Union City, Tenn., I asked the driver his right to segregate passengers traveling interstate because of their race. In reply, he said his code book gave him the authority to seat passengers as he sees fit. The driver was then informed that he would be reported to the company and to the Interstate Commerce Commission.

A letter protesting this segregation, was sent to the Greyhound Lines. No answer was received. An affidavit was filed with the Federal District Attorney with intention that this information be presented to the grand jury in session this month. The Supreme Court in reply to this matter states, "This Court in holding unconstitutional the segregation law of the State of Virginia did not pass upon the validity of the segregation laws of any other States."

Unfortunately the Government regards the incident as unimportant. In regard to the Department of Justice to President Truman, the Department of Justice replied "You do not disclose a violation of any federal criminal statute. This Department, therefore, can take no action in the matter."

Support in this case was asked from the Council Against Intolerance In America, and support was pledged. Alfred Carroll, president of the Louisville chapter of the N.A.A.C.P., promised support from his organization; also, the Louisville chapter of the American Veterans Committee.

ELMER L. MEYERS

Louisville.

THE Watchtower by ROY WILKINS

THE UNITED STATES Supreme Court has spoken at last on state laws which separate interstate passengers because of race and color. It is said in a 6 to 1 opinion that such laws are unconstitutional and that hereafter, specifically on motor bus lines, interstate Negro passengers may not be required to sit in the back seats of buses. Only Mr. Justice Burton, an Ohio Republican, disagreed.

Roy Wilkins

If anyone took the trouble to conduct a survey on what aspect of interracial relations is most irritating and humiliating to Negroes, the result would probably show that Jim Crow transportation is that item. The herding of Negro passengers into the back seats of buses, and up into filthy and cramped Jim Crow railroad cars is resented even by Southern Negroes who have had to endure it.

The people who directly enforced this law only added to the resentment. Ignorant and arrogant bus drivers became "kings" in their little domains. In many places they carried guns to enforce their personal rulings. They shot and killed Negroes who did not jump to obey them. During the war they killed a number of Negro soldiers. They bullied Negro civilians.

These bus drivers took delight, especially in the state of Virginia, in "putting in their places" the many Negro passengers from the North who must pass through Washington to reach Virginia, the Carolinas, Georgia, Florida, and parts of Tennessee and Alabama. In Miss Irene Morgan they happened to pick on the wrong person. Miss Morgan was seated in the rear half of the bus, but not on the very rear seat. She was ordered to move to the back seat and refused. She was arrested and fined, and from then on her case was handled by NAACP lawyers in Virginia and New York. The result was the Supreme Court opinion June 3.

First reports after the victory indicate that both the Negroes and the state officials and bus companies are proceeding cautiously. Virginia bus lines have taken down their separation signs, but passengers still separate themselves voluntarily. Mississippi, Georgia and Florida are grumbling, but are waiting the complete text of the court's decision and their lawyers' interpretation of it.

The decision means simply that a Negro bus passenger going from Chicago to Texas cannot be segregated when he arrives at the Arkansas state line, and forced to ride thereafter in the back seat. On the other hand, Negroes riding from one town in Arkansas to another in the same state can be Jim Crowed under state law.

A funny sight indeed will be a bus driver trying to separate intrastate Negroes from interstate Negroes, for dark passengers who board a bus in Jacksonville, Fla., bound for New Orleans, La., cannot be forced into the rear under this ruling, whereas those from Jacksonville to Pensacola can be put in the back seat.

How will this decision affect the railroad Jim Crow car? The lawyers are cautious in giving opinions, but it seems clear that the whole business of segregating interstate passengers on public carriers is on the way out. It would not seem to this lay observer that the railroads can continue the Jim Crow car (for interstate passengers) very long under the impact of this bus case decision.

The day undoubtedly will soon arrive when Cairo, Ill., Cincinnati, Ohio, and Washington, D.C., will not be hateful places to Negroes because they mark the changeover to the Jim Crow car. One of the problems of the new day will be what to do with some of the Negro train porters who took more delight in enforcing the Jim Crow law than the whites did. Maybe Bilbo will take them in his Back-to-Africa movement.

Bus Line Heads Withhold New Orders Pending Study

ATLANTA — (NNPA) — Segregation of passengers in busses operating as interstate carriers has been outlawed by the Supreme Court decision, but colored passengers in the South are reported to be continuing to ride in the rear seats.

Most bus company officials have said that they issued no directives for changing the seating arrangement because they were awaiting a study by counsel of the opinion.

Thomas Bailey, governor of Mississippi, making the typically southern pronouncement asserted:

"Segregation will continue down here. Neither the whites nor the colored people want it any other way. I don't believe there will be any friction. There never has been in this matter."

State's Rights at Stake

Earlier Governor Chauncey Sparks of Alabama criticized the Supreme Court's decision, asserting that the ruling was "entirely unrealistic" and that it served as "fertilizer for the Ku Klux Klan."

"The decision interfers with the rights of States to conduct their internal affairs," Sparks said. "When that right is completely denied, we no longer have a nation composed of sovereign States."

In the Carolinas, Atlantic Greyhound Lines officials said that instructions were received from company headquarters at Charleston, W. Va., to permit colored passengers to sit anywhere, but the officials added, they still were taking the rear seats.

Compliance Anticipated

L. C. Major, vice president of the Greyhound Lines at Richmond said that "of course, we'll comply," and added that a copy of the court's opinion would be referred to the company's legal department before any orders were promulgated.

From Georgia westward to Louisiana and Arkansas came the same report: "Awaiting review of the decision; colored passengers occupying rear seats."

Matt L. McWhorter, vice chairman of the Georgia Public Service Commission, said the State would abide by the decision, then added "Georgia laws providing for segregation will continue to be applicable to intrastate traffic."

Jim Crow Kicked Off the Bus

In declaring invalid the Virginia statute requiring segregation of colored passengers on interstate buses, the U.S. Supreme Court last week added another important chapter to the history of a continuing fight against the vicious jim crow system in this nation.

Basis for invalidating Virginia's law, in the case brought by Mrs. Irene Morgan, was the principle that segregation places an undue and unlawful burden upon interstate commerce. Oddly enough, this is the same principle established 41 years ago by the late William H. Hart, Howard University law professor, before the Maryland Court of Appeals.

Professor Hart, although possessing a ticket qualifying him as an interstate passenger, was ejected from a train under the Maryland jim crow law. The appellate court's decision in his favor in 1905 opened the way for breaking down discrimination against interstate passengers.

Despite this precedent, however, practically all court pleas in jim crow cases since that time have been based upon the 14th Amendment to the U.S. Constitution.

The high court's opinion defined "burdens upon commerce" as "those actions of a State which directly impair the usefulness of its facilities for such traffic . . . A burden may arise from a State statute which requires interstate passengers to order their movements on the vehicle in accordance with local rather than national requirements . . ."

While 18 States prohibit racial separation on public carriers and ten others require separation on motor carriers, it is plain, as the court says, that "where separation of races is required in motor vehicles, a method of identification as white or colored must be employed . . ."

This imposes another burden inasmuch as court definition or legislative enactments, subject to change at any time, are necessary to clarify the line between the races. And even this is not foolproof.

It is to be regretted that the Supreme Court's ruling could not have been predicated upon the high issue of equal human rights rather than upon a desire to promote efficient, orderly travel. The main thing, however, is the result, namely: that jim crow has been booted off Dixie's interstate buses. The ruling now takes its place with those outlawing restrictive housing covenants and the white primary.

It is to be presumed that it will apply to railway and boat travel as well and while it still leaves the matter of intrastate jim crow unsettled, it points the way for that matter to be readily resolved by colored citizens themselves.

Wherever possible, colored passengers seeking transportation from one point to another within a Southern State, will do well to select interstate buses for such travel. If this is done, it shouldn't take long for the operators of these short lines to feel the effect of this loss in business and to take the necessary steps to regain it.

Mrs. Morgan, the NAACP and all counsel for the plaintiff deserve unstinted praise for their achievement. What they have done proves that it can happen here.

The AFRO has always contended that segregation of passengers in interstate traffic is illegal and now the nation's highest tribunal affirms this view. If citizens everywhere who are mistreated will enter suit, it won't take long to put an end to this silly business.

The Chronicle, Detroit, Mich. Sat. 10-5-46

THE RAILROAD DECISION

The ruling by the Court of Appeals of the District of Columbia last week against the segregation of railway passengers brought cheers from us. Of all the forms of segregation hardly any are more humiliating and downright uncomfortable than that employed by railroads operating through the Southland. The little compartment on the rear of the baggage car which is set aside for colored travelers is a rolling torture chamber. Always crowded and always filthy, these compartments are enough to make a raving radical out of Uncle Tom.

We doubt whether the decision of the court will have any immediate effect on the policies of these big railway companies, but we are hopeful. It will be a big day in Dixie when a colored passenger can board a train like any other citizen and not worry about having to carry a sack full of chicken to keep from starving to death before he reaches his destination.

Important Decision

Tribune Washington, D.C.

While Congress filibusters, "fiddles," fumbles, and deliberately refuses to pass legislation that would give us the Constitutional rights to which we are entitled, the Supreme Court has taken the lead in granting the justice due us. Tuesday 6-11-46

While Congress plays with the Poll Tax Bill that would make it possible for thousands of Negroes, and poor whites as well, to vote, the Supreme Court stepped in recently and decided that Negroes should be allowed to vote in Democratic primaries that have kept the ballot from us in Southern States for so long.

While Congress "toys" with the bill for a Permanent FEPC that would erase much of the discrimination that has been disadvantageous to the American Negro for lo' these many years, the Supreme Court decided to end race discrimination on interstate motor transportation in Virginia, thus paving the way for eliminating unfair segregation laws in 27 of these United States. Tribune

The judges of the Supreme Court, in unanimous action, last week handed down one of their most far reaching judgements since the Dredd Scott decision when it ruled in favor of Mrs. Irene Morgan and against the State of Virginia in deciding that Virginia's bus discrimination law is unconstitutional.

The House of Representatives has a bill, introduced by Rep. Adam Clayton Powell, (Dem. N.Y.) that would erase all discriminatory laws in all the States. The Sub-Committee refuses to consider it, giving as an excuse—too busy with other matters.

Let us remember this when we go to the polls.

While the people we send to Congress to represent all the people are too busy, the Supreme Court, without fanfare, writes a new chapter in American History by handing down decisions that will rectify the injustices to which we have so long been subjected. Washington, D. C.

Instrumental in bringing about this latest decision is Mrs. Irene Morgan who had the courage and belief in her own convictions to seek nullification of laws that have been a menace to 13 million members of her race since and before the Civil War. We commend Mrs. Morgan. Tuesday 6-11-46

Backing Mrs. Morgan was the NAACP which, through its corp of some of America's most brilliant lawyers, used the most effective weapon to fight prejudice and discrimination—the courts of the land. We are grateful to the NAACP. Let us all give for its support until it hurts.

The Supreme Court is rendering us and other minorities a great service. It is paving the way for winning the Peace. We are thankful for this latest decision.

People & Issues

By Benjamin Davis, Jr.

Communist Councilman, Borough of Manhattan

THE Supreme Court decision outlawing segregation on interstate bus travel is of far-reaching significance. It is a major victory for Negro rights in particular, and for American democracy in general.

However, it is no more than what should have been decided long ago. For all such segregation, Jimcrowism and discrimination is repugnant to the U. S. Constitution specifically to the 14th Amendment. Sun. 6-23-46

It should be clear, therefore, that no one is being done any favor over and above the law of the land. As a matter of fact, the decision does not go far enough. Not only do the buses segregate, but so do the railroad trains. The decision, in so far as principle is concerned, applies to the latter as well as to the former. And not only are buses in the South guilty of segregation. So are buses in the North. New York.

The conditions under which Negro Americans are forced to travel on buses and trains, particularly in the poll tax South, are revolting. They are a vivid example of the national oppression of 14 million Negroes, a vicious expression of "white supremacy" in this country.

FOR years the Negro people have battled against these conditions, and in recent times the Negro people have had at their side the weight and strength of the labor movement, especially the CIO, together with white progressives and anti-fascists. It is in response to this sentiment that the Supreme Court decision came through finally. It is in part due also to the appointments of the late Franklin D. Roosevelt to the Supreme Court, which the reactionaries are now trying to upset by utilizing the blast of Justice Jackson against one of the most liberal members of the tribunal, Justice Hugo Black. The offensive of reaction in this country is stopping at nothing. Sunday 6-23-46

But this decision ought to bring inspiration and encouragement. For it shows there are two main trends in the country. First, big capital, through Truman, Vandenberg and Byrnes, are seeking to plunge this country into an imperialist war directed against the Soviet Union and against the welfare and best interest of the American people. As a part of this drive, labor, living standards and democratic liberties are under heavy attack by fascist and pro-fascist forces. Although this reactionary trend is sinister and most dangerous—and could lead to fascism at home—it is nevertheless carried on by a minority of greedy Wall Street interests, whose aim is to dominate the world.

* * *

THE other trend is that evidenced in the achievement of this decision, namely, that of labor and the people for peace, for security and for the expansion of democracy on the home front. After all, the people have learned a great deal in the last years, particularly during World War II. Once they become fully conscious of their power, organize it and unify it through independent political action—beginning in the 1946 elections—even more dramatic people's victories can be won.

It is the organization and power of labor and the people which must now see that the Supreme Court decision is made a reality. Otherwise, it will remain on paper.

The Governor of Mississippi has declared he has no intention of enforcing the Supreme Court decision. This attempt to overthrow the government did not even get a rise out of President Truman or Attorney General Tom Clark. According to the Constitution of the United States, the President is charged with the responsibility of executing the law of the land. But it is quite clear from experience that unless labor and the people intervene, President Truman is going to give silent encouragement to the nullification of the Supreme Court bus decision as he did to the recent lynching of Roosevelt's Fair Employment Practice Committee.

With A GRAIN of SALT

By ARTHUR P. DAVIS

Court's Bus Decision Will End Nasty Epoch

THE recent decision of the United States Supreme Court that Jim Crow laws on interstate buses are unconstitutional is another significant landmark in the troubled history of race relations in America. In Virginia it will end a nasty epoch of segregation on public carriers which began in 1900. Ironically enough, the decision was handed down in the same week that Carter Glass died. Glass probably did more than any other person to bring Jim Crow to Virginia (requiescat in pace). Perhaps there is some significance in the fact that we move so fast in America we can drop civilization into barbarism and back again within the span of one lifetime. Art. 6-1-46

DR. DAVIS

I have also a sort of personal interest in this decision, because one of my former students, the brilliant young Richmond lawyer and Howard professor, Spotswood Robinson 3rd, represented the plaintiff in the case. There is much grounds for hope when you find young barristers like Mr. Robinson—men who are both scholarly and militant—willing to take "social" cases of this sort—and fight them through to the highest court. It is good for our group; it tends to resurrect among us greater confidence in a profession which heretofore has not deserved very much. Norfolk

But back to the decision—I am quite certain that as I write these lines the office of the Attorney-General of Virginia is racking its collective brains in an effort to find some loophole in the law. Conscious of its alleged aristocratic background, Virginia will seek technical means to invalidate the Supreme Court pronouncement; but it will do just as thorough a job of thwarting justice as its less genteel neighbors in the Deep South. Virginia

The latter group will take its usual attitude which stated bluntly is this: "To hell with the Supreme Court! Ain't no Negro gon' ride beside white folks in this state!"

* * * *

In the final analysis the Negroes themselves will probably have to see to it that this decision becomes effective. In spite of inconvenience and unpleasantness they have got to insist on non-segregation in interstate travel. But will they? I am not certain.

In the first place you are going to find among us a very large I-wouldn't-want-to-sit-beside-'em-myself group. These are the Negroes who take the attitude that the masses of our people aren't "ready" yet, that they are loud and wrong, that they appear on common carriers dressed badly, that they are often drunk and vindictive. It is this type which will mouth I-told-you-so's when and if trouble comes. Unfortunately they make up a large proportion of our "better" Negroes, and I doubt very much whether they will fight to make this decision functional. Art. 6-1-46

The second group that we have is the "realistic," the kind that says pontifically: "the law-is-one thing-public-opinion-another." These are the persons who insisted that FEPC would never work and by their futilitarian attitude helped to make it fail. These are the ones—and heaven knows they are a legion—who say: "You know these white folks will do certain things for you, but they ain't goin' be pushed." When a man makes that statement or takes that attitude, include him out of any fight for rights. He ain't ready. You can't get any help from him. Norfolk

I hope, however, that there will be a third group in the South that will insist quietly and stubbornly on having the law carried out come hell-and-high-water. I hope there will be many with the attitude of a certain colored lady I saw on the Silver Meteor two years ago. As the train pulled into Washington, the conductor came to her and told her that she would have to move up to the front coach, because the train would soon cross into Virginia. Va.

The Bus Decision

Her answer was classic: "Mr. Conductor," she said, "I ain' after causing no trouble; but I bought this seat in New York and I goin' to Florida. Now, my ticket ain't said nothing 'bout no changing in Washington; so less'n you get a screw-driver and take up this seat with what's in it—which is me—I gon' stay right here."

And she did. I don't know how far she got, but as the train pulled out of the Union Terminal, she was still in that seat—grimly and purposefully there.

If we had more Negroes like this determined little lady, the Supreme Court decision on Jim Crow would not become like the Gaines decision another hollow mockery.

Buses Report "No Trouble"

SPECIAL

WASHINGTON.—Most of the principal bus lines engaged in interstate operation in and out of Washington report that Negro passengers continue to occupy seats in the rear of the buses, despite the recent Supreme Court decision. At least one of the companies has not removed its signs declaring that according to Virginia law colored passengers must seat from the rear, white from the front. When F. K. Lane, president of the Arlington and Fairfax line was asked why the signs had not been removed in his buses, he replied:

"As far as the Virginia law pertains to intrastate travel, it is still on the statute books. I don't know what the Supreme Court decision means. I haven't a copy of it. We operate buses that are entirely intrastate, and others which go from Virginia to the District. One day a bus may be on one route, the next, on another."

An official of the Arnold operated lines, which go to Falls Church, Arlington and numerous other towns, Sherman Wilson, head of public relations, said that the companies took down their signs "because the newspapers made such an issue of it." The Supreme Court decision "did not nullify the Virginia law," he said, but the Virginia authorities have not spoken on it.

Meanwhile, he said, "I don't think the situation has changed. Even with no signs, the colored people automatically went to the back of the bus. I haven't heard the drivers say there was any trouble."

"But they will sit up in front," the reporter said, "and then what?"

"I don't think anyone cares," he said. "I don't think the passengers care. The drivers I've talked to don't object. It takes them out of a spot. It's a relief to them not to have to enforce the law, which they were required to do. It's a relief not to have to see that the Negroes squeeze their way through a crowded bus to get through the whites standing in order to stand in the rear."

An official of the Greyhound Lines who declined to give his name an agent at the Alexandria terminal, said, in a conversational tone of voice: "We haven't had any uprising so far, or any difficulty."

"Did you expect one?" he was asked.

"Well," he said, in an explanatory sort of way, "it seems more than likely that we may yet, especially on those long overnight trips."

Were the passengers accepting it? "There's not much else they can do," he said.

How about the drivers? "I haven't had any complaints from drivers," he said.

Curtis Funkhausen, a Greyhound bus official said in answer to queries:

"So far we've not had a bit of trouble with the colored people. They're not taking advantage of the Supreme Court decision. We thought they would, but they're not."

"And when they do?" he was asked.

"The company has it right on the time table, the schedule the public gets, that the driver has the right to seat the passengers according to the best convenience of the company and the passengers."

"But he can't order a colored passenger to move now, can he?"

"Of course, if a driver sees 'em annoying someone, he has the right to move someone," he said. "Like if a white passenger made a complaint, if he couldn't stand 'em."

"Meaning just what?" the reporter asked.

"Oh, the white passenger would have to have some excuse," he said, "—he can't stand the odor, or something. Then the driver has a right to move him."

Decision Outlawing Bus JC Hailed by Nation's Leaders

NEW YORK.—Distinguished Americans throughout the United States have telegraphed congratulations to the NAACP on its victory in the Irene Morgan case, in which the U.S. Supreme Court outlawed racial segregation in interstate bus travel.

Their statements follow.

HERBERT H. LEHMAN, former Governor of New York State and recent director of UNRRA:

I am greatly pleased and thoroughly agree with the decision of the Supreme Court outlawing segregation on interstate buses. I am very confident that the law-abiding citizens of the States affected will willingly and fully abide by this just decision.

RABBI STEPHEN S. WISE, president, American Jewish Congress:

I rejoice over the long deferred decision of Supreme Court regarding interstate buses. Professional race baiters will howl, but decent-minded Southerners and Northerners will approve and rejoice in the just, irrepealable decision.

MARK ETHRIDGE, editor, Louisville (Ky.) **Courier-Journal**, telegraphed the following excerpt from an editorial in that newspaper of June 5:

In a series of memorable decisions, the Supreme Court has proved its title as the sanctuary of liberties.

One may feel an incompleteness in that the opinion on the Virginia segregation law was based on its being "a burden on interstate commerce" and that the case was not decided on the issue of fundamental right.

At that, the opinion is bound to be of great effect, serving the purpose of enhancing human dignity and protecting American guarantees by whatever channel it moved thither.

CARL MURPHY, president, AFRO-AMERICAN Newspapers:

William H. Hart, Howard Law School professor, thrown off an interstate railway car in 1905, won in the Maryland Court of Appeals solely on the ground that no State could unduly burden interstate commerce by jim crow.

Last week, another former Howard professor applied the same technique and won. The NAACP has reason to rejoice.

CARTER WESLEY, editor, the Houston **Informer:**

The NAACP has won another fundamental victory for civil rights, a significant victory in the economic improvement of the South. We expect no repercussions.

The majority of whites, in the South are interested in seeing injustice corrected and are further advanced than the leadership on this question.

BISHOP BERNARD J. SHEIL, founder-director, Catholic Youth Organization:

The Supreme Court decision outlawing segregation in interstate buses is a telling blow in the fight for equality of colored persons and in the struggle to extend elementary democratic rights to all people.

All Americans can lift their heads higher because of this decision. We are beginning to practice what we preach.

BARTLEY C. CRUM, distinguished San Francisco attorney and campaign manager on the West Coast for the late Wendell Willkie, who has just returned from Europe as the American representative on the Displaced Persons Commission:

The decision of the Supreme Court outlawing segregation on interstate busses is a victory for the proposition that there are no second-class citizens in the United States.

The NAACP is to be congratulated for continuing the unremitting battle against intolerance, discrimination and racial prejudice.

P. B. YOUNG Sr., editor, Norfolk **Journal and Guide:**

Editorial comment and bus administration officials' reaction indicate acceptance and full compliance with the Court's decision in Virginia.

Colored citizens hail decision as momentous in the long series of NAACP legal gains.

Ira F. Lewis, editor, Pittsburgh **Courier:**

The recent Supreme Court decision outlawing segregation on interstate busses is unquestionably one of the most sweeping and moving decisions of that august body.

It takes its place beside the Texas primary case in national importance and must be construed as an indication that the United States, insofar as the Supreme Court is concerned, is on its way to make democracy a living thing in this country.

Colored persons everywhere will be encouraged and heartened by these two decisions which will allow them to hold their heads up and assume full responsibility as American citizens.

Taxpayers and soldiers deserve every right guaranteed citizens under the Constitution.

Postscript to Bus Decision

The Afro-American, Baltimore, Md., Sat. 6-22-46

The recent U.S. Supreme Court decision outlawing segregation on interstate buses reminds us that for every hard-won right, there is a companion duty.

No matter how distasteful the decision may be to operators of public carriers in the South, there is reason to believe they will see the light and comply.

Where there is any disposition to resist the decision, it must be kept in mind that we always have recourse to the courts, now that a precedent has been established.

It is because of this that we take this occasion to call attention to the need for clear thinking and level heads during the transition. It is to be expected that here and there may be attempts to provoke friction. The exercise of restraint under such conditions can quickly nullify such evil attempts to stir up interracial strife.

We are not suggesting here that anything less than the letter and spirit of the law be accepted. The right of unhampered travel is indisputably ours. We can best safeguard it though by sidestepping the snares through which the unscrupulous would entrap us.

Sparks Hits Decision On Bus Segregation

MONTGOMERY, Ala., June 4 — (AP) — Gov. Chauncey Sparks criticized as "interfering with state's rights" today a U. S. supreme court decision outlawing racial segregation on buses in interstate commerce.

"Decisions of this kind are a fertilizer for the Ku Klux Klan," the governor declared.

He predicted they would lead to demands for social equality for Negroes in schools "or any kind of facility supported and controlled by the state."

'Need Own Spheres'

"I think the people who promote this kind of stuff are not realists," Sparks commented. "Never in history have any two races which are diametrically opposite — like the white and black or the white man and the Indian—ever gotten along except by independent association."

"If we are going to prevent violence," he added, "we must learn to promote the development of the races in their own spheres."

Gov. Sparks said he stood for "two things which are fundamental:"

1. Absolute segregation.
2. Independent racial development with equal opportunity for both races.

And, he added, "I think the leading Negroes of the south will not differ from this position."

"The states ought to be permitted to regulate their own social affairs," the governor asserted. "When segregation is required in the interest of peace and harmony it is not discriminatory and cannot be a burden on interstate commerce."

(Justice Burton, in delivering the supreme court's decision on a case originating in Virginia, said that state's Jim Crow law imposed an undue burden on interstate commerce.)

"When the right of a state to control its internal affairs is completely denied," the governor declared, "we will no longer have nation of sovereign states."

CONFERENCE IS SET IN NORTH CAROLINA

RALEIGH, N. C., June 4—(U.P.)—R. C. Hoffman, of Raleigh, president of the Carolina Coach company, said today he planned to confer today with Gov. Cherry and the state utilities com-

Greg Hoffman said the Carolin Coach Company operated in Nort Carolina and Virginia and that th company's drivers would continu "to try to avoid any incidents tha might arise from the segregatio law."

PLANNED SEATING IS PROPOSED

MEMPHIS, Tenn., June 4—(U.P. —Earl Smith, president of Dixie

What The Jim Crow Decision Means to You

Question: Does the dec' apply to the state of Virginia?

Answer: While actually ...sion applies to Virginia, because it was based on a specific case involving that particular state, by implication it nullifies all other statutes in other States.

Question: If a Negro boards a bus in New York bound for Georgia going through Virginia is he subject to be yanked back into a jim crow car when he reaches the Virginia line and starts over into North Carolina?

Answer: The decision pertains to interstate travel, and according to observation by Justice Burton "laws similar to the one in Virginia are in effect in North Carolina, South Carolina, Georgia, Alabama, Mississippi, Louisiana, Arkansas, Texas and Oklahoma. Not only could these laws be invalidated by the majority decision, he said, but the laws of 18 other States which prohibit racial discrimination on busses also might be affected.

It is possible, however, that North Carolina authorities might arrest a passenger coming out of Virginia and fine him for not moving back. But, it is interpreted, the authorities, the state, and the bus company are liable to a suit in not complying with the Supreme Court Decision on interstate Commerce.

Question: Does the decision apply to railroads as well as Motor transportation?

Answer: Actually it applies to Motor Transportation. Railroad companies, however, are expected to abide by the decision. The NAACP now has a similar Florida case pending specifically involving railroad transportation.

Question: If a Virginian buys a ticket in Richmond bound for Norfolk must he ride in a jim crow car or seat?

Answer: The decision involves interstate commerce and not intrastate transportation. The jim crow law can hold so long as he does not cross a state line. In other words you can be segregated within the confines of the state. However, if it is a Greyhound bus or any such bus which moves across lines of other states you have a legal technicality that may nullify such action. If it is strictly local transportation you haven't a leg to stand on.

Question: What stand are the bus companies going to take in complying with the new decision?

Answer: The A. B. and W. Transit Company has already announced that instructions have been made, as of Tuesday, June 4, the segregation law is no longer effective on its lines as a result of the Supreme Court decision holding the State Segregation law invalid. The Arlington and Fairfax Motor Transportation Company said "We'll obey the law, whatever it is," The Atlantic Greyhound Corporation, which traverses most of the jim crow states, said, "We naturally will comply with whatever the Supreme Court of the United States says is the law." The Richmond Greyhound Lines await word from their lawyers advising them what stand to take.

Jim Crow Leaves The Bus

From the Lighthouse and Informer

The Supreme Court's ruling on the appeal of Mrs. Irene Morgan from decisions of two Virginia courts which upheld that state's jimcrow statutes, means the entire jimcrow travel pattern in the South is broken or at least has suffered a reeling setback.

While the decision refers to interstate travel legally, its implications are of such import as to make impractical continued impositions in intrastate travel, if not making these altogether ridiculous and stupid. And the Greyhound Corporation, one of the larger bus companies, probably had reasoned along this line when it announced it would attempt no differentiation between interstate and intrastate travelers.

Some years ago court assaults on jimcrowism in diner and pullman cars brought adjustments and the Morgan case, if explored and used for all its potentialities, may hold the means by which the stuffy, hot and sooty jimcrow coaches Negroes are stuffed into on southern trains can be eliminated. The bus companies, the railroad companies are not interested in jimcrowism nor racial segregation. They enforce these on state orders and would probably enjoy greater peace of mind were all jimcrowism eliminated.

Those self-designated prophets who forever foresee what never happens will of course predict an era of racial incidents because of the Morgan case. But we do not foresee any friction or disturbances. The two races will seat themselves in accordance with the ruling and continue "separate."

Jim Crow Laws Put In New Light Through Supreme Court Action

Segregation Of Negroes In Interstate Buses Is Held Unconstitutional

WASHINGTON, June 4 — (AP) — Southern states looked to their "Jim Crow" laws today in the light of a Supreme Court ruling brushing aside Virginia's statute requiring segregation of Negroes on interstate buses.

The court, in its 6-1 decision, said the Virginia law imposes an undue burden on interstate commerce and therefore is unconstitutional.

Dissenting, Justice Burton said that on yesterday's precedent similar laws in nine other Southern states—North Carolina, South Carolina, Georgia, Alabama, Mississippi, Louisiana, Arkansas, Texas and Oklahoma—could be held invalid.

Likewise, Burton asserted, validity of laws of 18 states which prohibit racial segregation could be challenged since "they differ sharply from laws on the same subject" in other parts of the country. The 18 were not listed.

IN TWO OTHER MAJOR OPINIONS THE TRIBUNAL:

1. Gave wide latitude to the press in criticizing courts, and;

2. Denied Congress the right to single out federal employes and fire them by cutting off their salaries.

Justice Reed's majority opinion in the Virginia "Jim Crow" case somewhat obliquely checked the matter to Congress by concluding: "It seems clear to us that seating arrangements for the different races in interstate motor travel require a single, uniform rule to promote and protect national travel."

While concurring with the majority decision, Justice Frankfurter objected to any such single rule. Frankfurter contended that "Congress may devise a national policy with due regard to varying interests of different regions."

In affirming the right of newspapers to criticize judicial actions, the court unanimously reversed a contempt conviction against The Miami, Fla., Herald and its associate editor, John D. Pennekamp, which arose out of two editorials and a cartoon published in 1944.

* * *

"FREE DISCUSSION of the problems of society is a cardinal principle of Americanism," said the court's opinion again written by Reed.

"Discussion that follows the termination of a case may be inadequate to emphasize the danger of public welfare of supposedly wrongful judicial conduct. It does not follow that public comment of every character upon pending trial or legal proceedings may be as free as similar comment after complete disposal of the lititation.

"Between the extremes there are areas of discussion which an understanding writer will appraise in the light of the effect on himself and on the public of creating a clear and present danger to the fair and orderly judicial administration. . . . Freedom of discussion should be given the widest range compatible with the essential requirement of the fair and orderly administration."

* * *

IN A CONCURRING OPINION Frankfurter said "One of the potent means for assuring judges their independence is a free press" and that criticism "must not feel cramped."

Similarly, Justice Murphy said "The freedom of the press . . . includes the right to criticize and discourage, even though the terms be vitriolic, scurrilous or erroneous."

House appropriations committee members said they were stymied by the court's ruling holding as unconstitutional and attempt by Congress to fire three government workers for asserted subversive associations.

It was at the committee's suggestion that Congress attached a rider to a 1943 appropriation bill denying salaries to:

Robert Morss Lovett, then government secretary for the Virgin Islands and later assistant to the islands' governor; Goodwin B. Watson and William E. Dodd, Jr., foreign broadcast intelligence service employes of the Federal Communications Commission.

The court ruled that this amounted to infliction of punishment without a judicial trial.

Segregation On Buses

Under its power to regulate interstate commerce, Congress might long ago have ended race segregation on interstate buses and other public carriers. Since it did not do so, the Supreme Court last week took upon itself the responsibility of proclaiming such a policy from the bench. When we criticized the court for thus invading the policy-making field, Representative Adam C. Powell, jr., of Harlem called attention to the fact that he had introduced a bill to abolish Jim Crow practices in interstate transportation a year and a half ago. He thinks, as we do, that the initiative in thus regulating interstate commerce in accord with our democratic principles should have been taken by Congress.

"We have sat by," said Representative Powell, "and allowed the Supreme Court to do what we are paid to do." His remarks clearly point up the desirability of legislation in this field of regulation that the Constitution has so clearly assigned to Congress. Nor can it be assumed that the need for such legislation has now passed. There is no assurance that the Supreme Court's opinion in the Irene Morgan case has disposed of the issue. It rested on the ground that the requirement of changing seats as buses pass from the District of Columbia, where there is no segregation, to Virginia, where segregation has been the rule, was a burden on interstate commerce. Obviously there would be no such burden in the case of buses operating between Alabama and Mississippi or between any other two States when both adhere to segregation rules. It is quite possible, too, that even if laws on this subject are invalidated in all the Southern States, segregation will still be accomplished through regulations set up by the bus operators.

Now that the court has upset State Jim Crow laws, or at least some of them, it seems more than ever desirable for Congress to fix a policy that will leave no room for confusion or survival of undemocratic practices in interstate commerce. We think that the Powell bill ought to be studied and made the subject of hearings with this end in view. Failure of Congress to act does not, in our opinion, excuse the Supreme Court for moving in and exercising the policy-making function, but the fact that the court has done so should certainly stimulate our legislators to a keener appreciation of their duty.

Jim Crow Law Ruled Out On Interstate Buses

Railway Travel May Be Affected

As immediate compliance with a Supreme Court ruling that States cannot require segregation of whites and Negroes on interstate buses was indicated by an Atlantic Greyhound Corporation official, Attorney-General A. P. Staples informally expressed the opinion that the decision would apply to interstate rail travel as well.

"We will naturally comply with whatever the Supreme Court of the United States says in the law," George S. Engle, executive vice-president and general manager of Atlantic Greyhound, said in Charleston, W. Va.

Mr. Engle declined to elaborate on the practical application of the new ruling, or the general instructions to drivers that would be entailed, pending study of the opinion by the company's legal counsel.

Official comment on the effects of the decision were withheld here pending receipt of a copy of the opinion which reversed the Virginia Supreme Court of Appeals and marked the first defeat before the United States Supreme Court for Mr. Staples. He had been on the winning side in ten previous appearances before the country's highest tribunal.

Mr. Staples' statement was seconded by Spottswood W. Robinson, III, Negro attorney who represented Irene Morgan in the case. Emphasizing that he had not seen the opinion, Mr. Robinson said that there is very little difference between the rail and bus statutes and "I believe the principle governing the two will be identical."

Air Travel

Mr. Robinson added that the decision might apply to steamboat and airplane travel as well but said he knew of no segregation on airplanes.

The effect of the action "may be of tremendous importance depending on what the court actually did say," Mr. Robinson continued. He said he preferred not to comment on the possibility of segregation continuing by rules and regulations promulgated privately by the carriers.

Section 4097dd of the Virginia Motor Carriers Act makes it a misdemeanor when any person fails to occupy the seat assigned to him by the driver or fails to obey directions to change seats "pursuant to any lawful rule, regulation or custom in force by such lines" as to the assignment of separate seats to white and colored persons.

The Virginia Supreme Court, in a June, 1945, opinion, in the Morgan case held unanimously that "there is no evidence" that Section 4097dd "directly or unreasonably interferes with interstate commerce."

The opinion, written by Justice Herbert B. Gregory, set forth as a general rule that segregation laws are unconstitutional only if they set up an "unreasonable burden" on commerce.

To the defense counsel's plea that the Virginia statute is severable—valid as to intrastate passengers but invalid as to interstate passengers, the Virginia Supreme Court stated that if this were true, "a condition would exist that would adversely disturb the peace and welfare.

Confusion Cited

"Then," Justice Gregory continued, "an interstate white passenger could occupy the rear seat with an intrastate Negro passenger, and an insterstate Negro passenger could occupy a front seat with an intrastate white pasenger. This would tend to confusion and disorder, and in effect, allow the interstate Negro and white passengers to have the run of the entire bus, while confining the intrastate white and colored passengers to the front and rear of the bus, respectively.

"The result would be that the segregation act in its entirety would effectively be disrupted . . .

"We are of the opinion the statute does not result in a discrimination against either the white or the Negro race, and that it does not violence to the fourteenth amendment to the United States Constitution.

Congress Silent

"The silence of Congress on this subject places it in the category where the State is allowed to act in the absence of legislation in this field by Congress. If Congress desires to nullify State segregation statutes as applicable to interstate passengers it has the power to do so under the commerce clause. However until Congress preempts this legislative field by proper enactment, the States continue to have the right to segregate the white and colored races on public carriers."

Irene Morgan, a Negro woman, was a passenger on a Greyhound bus in July 1944 en route from Gloucester County to Baltimore. She was requested to move to a rear vacant seat by the driver who read the company's segregation regulation to her. She refused, and her arrest and conviction followed on a warrant charging violation of Section 4097dd of the State Code, a part of the segregation law. Her conviction then was appealed to the State Supreme Court.

Jim Crow

So far as the result of the Supreme Court's decision in the Irene Morgan case is concerned, we applaud it. Apparently the effect will be to nullify all State laws requiring segregation of passengers on interstate buses, for the court has invalidated the Virginia statute under which Negroes are required to move to one designated section on buses traveling into that State from the District of Columbia. This undercutting of Jim Crow laws is a sound policy for any democracy to follow. It is wholly out of keeping with our ideals of freedom and equality to segregate along racial lines the passengers using public utilities.

The only question that arises about the decision is whether the Supreme Court has improperly invaded the policy-making field of Congress. Justice Black put his finger on the nub of the case when he said that the commerce clause of the Constitution "means that Congress can regulate commerce and that the courts cannot." Yet he concurred in this regulation of commerce by the courts because he believes that in various other cases his brethren have used the commerce power, against his protests, for similar purposes. "I thought then, and still believe," he wrote, "that in these cases the court was assuming the role of a 'superlegislature' in determining matters of governmental policy." But since the court is committed to the "undue burden on commerce formula," he decided to join the court in this instance.

It seems to us that the sounder rule of law is that to which the court has usually adhered—the rule of leaving the States wide latitude in applying local regulations to commerce, unless and until Congress lays down rules that must supersede those of the States. In the present instance Congress has enacted no law, as Justice Reed admitted in the majority opinion, dealing with the separation of the races in interstate transportation. Justice Burton pointed out in his dissent that neither the Federal Government, the State nor the carrier had complained that the separation rule in Virginia had imposed such a burden on interstate commerce as to make it unconstitutional.

The Supreme Court takes a heavy responsibility on itself when it intervenes to upset State regulations of this sort in the absence of congressional action. We have to remember that policy-making decisions of this sort might operate with equal force to invalidate State laws forbidding segregation on interstate carriers if a majority of the court were inclined to favor universal separation of the races.

A Memorable Day In the Supreme Court

IN A series of memorable opinions, the United States Supreme Court has proved its title as the sanctuary of liberties. The precious quality of free speech was described anew in a unanimous ruling which set aside the conviction of a Miami, Fla., newspaper and its editorial writer for contempt in criticism of a local court. Another, and likewise a unanimous opinion, rebuked the ravening DIES Committee, and the Congress which upheld it, for proscribing three Government officials whose offense was holding to a liberal philosophy. And a third opinion, to which only one of seven justices dissented, called unconstitutional Virginia's Jim Crow law as it related to interstate travel.

By the simple measure of individual right, all three opinions should strike most people as being of the essence of our democracy. It would be a sad day if the freedoms to comment on the action of public officials, to believe what one will and to be unmolested in a common carrier were denied, as the original action in each case undertook to deny them.

Only the judgment against discrimination between races in bus travel seems to leave something to be desired. One may feel an incompleteness in that the opinion on the Virginia segregation law was based on its being "a burden on interstate commerce" and that the case was not decided on the issue of fundamental right. This is the civil right involved, the human right of which the Constitution makes no gradations, or the essential evil of discrimination itself.

The majority opinion, written by Kentuckian Justice STANLEY REED, took its stand on the main point that it would be "disturbing" to enforce requirements for reseating passengers according to color when they cross a line between a State which has no segregation law and one which has. Even more legalistic, however, was the dissent by Justice BURTON, who argued there was no complaint of "undue burden on interstate commerce," and the point thus was without foundation.

At that, the opinion is bound to be of great effect, serving the purpose of enhancing human dignity and protecting American guarantees, by whatever channel it moved thither. In the South there doubtless will be a general clinging to Jim Crow laws for travel within States boundaries, but the law of the land has been written to end discrimination on busses otherwise.

But if the Court moved circuitously to undermine Jim Crow practices, it was direct enough in the other cases. What though the *Miami Herald*, criticising a court in editorials and cartoons as granting immunity to criminals, failed to state its case "objectively" or "held up the law to public obloquy"? Wrote Justice FRANKFURTER in a concurring opinion: "Criticism must not feel cramped, even criticism of the administration of criminal justice. Weak characters ought not to be judges, and the scope allowed the press for society's sake may assume that they are not." And Justice MURPHY seemed to go even farther in saying that "the freedom of the press . . . includes the right to criticise and discourage, even though the terms be vitriolic, scurrilous or erroneous." Far from encouraging irresponsibility of expression, we have an idea that here is a very challenge to moderation.

Habit Is Stronger Than Decision

ALEXANDRIA, Va., June 4 (AP)—Habit proved stronger today than Supreme Court decisions.

"Jim Crow" signs were gone, but most Negro passengers continued to take rear seats on buses of the A. B. and W. line operating between Alexandria and Washington.

A company spokesman said that cards directing Negro passengers to take seats at the rear of the buses were removed last night.

'Jim Crow' Will Continue in South Governor of Mississippi Asserts

ATLANTA, June 4 (AP)—Interstate bus travel segregation has been banned by a Supreme Court decision, but Negroes in the South continued today to file to the rear seats.

Most bus company officials said they issued no directives changing the long-standing custom because they were awaiting a study by counsel of yesterday's decision.

Thomas Bailey, Governor of Mississippi, said the keynote of the court ruling as described by the Alabama Ku Klux Klan. In the Carolinas, Atlantic Greyhound Lines officials said that instructions were received from company headquarters at Charlestonsion; Negroes would not be permitted to take rear seats on buses of the A. B. and W. line operating between Alexandria and Washington.

Company spokesman said that cards directing Negro passengers to take seats at the rear of the buses were removed last night.

WHEN WILL IT END?

Chicago Defender

Hidden in an obscure paragraph of an Associated Press dispatch recounting a train wreck on the Seaboard Air-lines Railway last week, was the tragic story of the death of a young Negro mother and her infant daughter.

Death struck because of where they were riding—in a combination baggage Jim Crow car right behind the engine and tender. Chicago, Ill

Certainly it may be argued that their lives could have been snuffed out regardless of where they were located, if fate had plucked their number. But in this instance it was the Jim Crow car which bore the brunt of the catastrophe.

The dramatic circumstances under which they died highlights the sub-human, humiliating conditions under which Negroes have been forced for years to travel below the Mason-Dixon line without relief from any of the Federal agencies designed to protect all segments of the traveling American public.

Under guise of the legal principle of "equality of accommodations" the Interstate Commerce Commission, the Federal District Courts and even the United States Supreme Court, have turned their heads disregarding actual conditions as they exist. Though dirty wooden coaches, combination smoking or baggage cars, in fact the worst possible facilities, have been assigned to the Negro public, the Interstate Commerce Commission, acting as though it were the South's chief advocate, has consistently refused to correct these conditions.

Records show that the Federal District courts have made a practice of following the rulings of the Commerce Commission. Sat 1-19-46

Even in the famous Mitchell case, the U. S. Supreme Court refused to rule on the basic issue inherent in American democracy. In a weasel-worded decision confining itself to a discussion of the fact that Congressman Mitchell had not received "equal accommodations," the highest court reversed the Commerce Commission but it side-stepped the issue that his civil rights guaranteed under the constitution had been abrogated.

Thus Jim Crow in interstate travel continues. And while Negro women and children are subjected to inferior accommodations, and greater travel hazards, the highest protective agencies of our government stick their heads in the sand, refusing to see or correct these indecent, immoral, and inhuman conditions.

Segregation On Buses

Washington Post, D.C.

If the Southern States insist on the continuance of the "Jim Crow" laws, they should be applied to white persons as well as to colored. Such equal treatment is unusual on the buses between the District and Virginia. I have seen several instances where colored persons were asked to move when sitting or standing in the sacred forward portion of the bus; I have yet to see a white person asked to move from the rear. I have heard that there are drivers who do require the white people to change, but they are very rare.

In the past week I have been on buses twice when there were from 8 to 10 seats in the front, white persons were sitting well toward the back and two or three colored persons were standing—in the rear. Virginia law gives the drivers full authority to rearrange persons and requires them to do so when the convenience of the passengers demands it. No action was taken by the driver in either case.

These discriminatory laws should be repealed. They are a constant humiliation and irritation to the colored race and in my opinion constitute the greatest barrier to any real improvement in race relations in the South. The argument that segregation is necessary to avoid fighting and bloodshed (advanced by the attorney general of Virginia before the Supreme Court) is ridiculous. Real segregation under modern conditions could only be attained by running separate buses. Sun 4-21-46

The present law merely makes matters worse. During the rush hours, with crowds of people jammed together in a tangled mass, colored people must get on the front, wedge their way to the back (where the seats are often filled by white people) and later reverse the process getting off. A certain amount of shoving, resulting in battered shins, bruised insteps and injured feelings would be inevitable under the best circumstances; the present system increases the movement of the crowd and sharply accentuates the racial conflict.

By all means let's do away with the law. But pending repeal, it would be somewhat less objectionable if colored people were not the only ones who bore the burden of its enforcement.

EDWARD D. GASSON.
Alexandria, Va.

The Interstate Bus Decision

Times-Dispatch

Editor of The Times-Dispatch:

Apropos the recent decision of the United States Supreme Court that "Jim Crow" laws on interstate buses are unconstitutional, I shall begin by confessing to a certain reluctance in assuming the role of a critic of the court with respect to fait accompli. Yet it seems that in this case it has handed down one of its less creditable opinions for several reasons, not the least of which is that it has improperly invaded the policy-making field of Congress. The Constitution of the United States provides that Congress shall have the power "to regulate commerce with foreign nations, and among the several States." And under Article 10 of the amendments to the Constitution, there is reserved to the States the right to exercise the police power. Mon 6-17-46

The apparent unwillingness of Congress to enact legislation on this subject is an important indication that, in the opinion of Congress, the issue was better left to the State to enact laws under the police power reserved to it in the amendment to the United States Constitution. Richmond

Moreover, it is a general rule that unless the regulation, enacted by the State, which, in this case, deals with the separation of races, unreasonably burdens commerce, it is valid. Justice Burton, in his very sound dissent, points out that neither the Federal government, the State nor the carrier had complained that the separation rule in Virginia had imposed such a burden on interstate commerce as to make it unconstitutional. Yet we find the majority opinion holding that uniformity is essential for the functioning of commerce, as if the lack of it burdened commerce.

Can it be that the court was influenced less by law than by the trend of modern times, which seeks to adopt the philosophy that separation rules are wholly out of keeping with the ideals of freedom and equality? Maybe the court can take comfort in quot homines, tot sententiae.

GEORGE E. BOOKER, III.
Richmond.

South Attacks High Court's Jim Crow Ban

C.M. Wed 6-5-46

New York, N.Y.

Official Southern reaction against Monday's Supreme Court decision barring Jim Crow segregation aboard interstate buses ran pretty much to form—from solemn invocation of States' rights to paternalistic assurance that Negroes themselves want it that way.

Some of the comment:

¶ Gov. Thomas Bailey of Mississippi—"Segregation will continue down here. Neither the whites nor the Negroes want it any other way."

¶ Gov. Chauncey Sparks of Alabama—". . . Interferes with the rights of States." . . . Is "entirely unrealistic." . . . Serves only as "fertilizer for the Klu Klux Klan."

¶ Clayton Coleman, acting secretary of the Louisiana Public Service Commission—"Louisiana's laws on segregation in intrastate commerce will continue to be enforced." 6-5-46

In contrast, an all-day sightseeing tour arranged for delegates to the St. Petersburg convention was cancelled yesterday by the American Federation of Musicians because of restrictions barring the participation of some 45 Negro delegates.

Dixie spokesmen put up a consolidated front against extension of anti-Jim Crow law to other travel channels and to intra-state passenger regulations. Rep. Dan McGehee (D., Miss.) angrily branded the Supreme Court Justices as "a bunch of mediocre lawyers who should have been impeached long ago." 6-5-46

"Negroes in the rear" signs were taken down yesterday from Virginia-Washington buses, but an Associated Press dispatch reported that Negroes there, and throughout the South, were continuing to file to seats in the rear of inter-state buses—either out of habit or ignorance of the ruling.

Virginia and other State officials were seeking clarification. By its language the court ruling applied only to inter-state passengers.

Segregation Act Is Held Invalid

WASHINGTON, June 3—(AP)—Two sweeping Supreme Court decisions today gave the press wide latitude to criticize the courts and outlawed racial segregation on interstate buses.

The segregation statute held unconstitutional was a Virginia act which requires Negroes to be seated separately from whites on both interstate and intrastate buses. Justice Burton, in a lone dissent, declared that the decision could invalidate similar laws of nine other States. 6-4-46 Tue.

The seven justices unanimously reversed a contempt conviction against the Miami (Fla.) Herald and its associate editor, John D. Pennekamp, growing out of two editorials and a cartoon published in 1944. Richmond, Va.

The Supreme Court said that the cartoon "held up the law to public obloquy." It agreed with the Florida Supreme Court "that the editorials did not state objectively the attitude of the judges." It added that "the full truth . . . was not published by the paper."

But its decision, written by Justice Reed, asserted that "free discussion of the problems of society is a cardinal principle of Americanism" and that the press comment in question "could not directly affect" the judges' actions.

Research corner

Tribune

The term Jim Crow was first used in 1835 when Thomas D. Rice, the first Negro minstrel, presented in Washington a dramatic song and Negro dance called "Jim Crow". The four-year-old Joseph Jefferson appeared in this dance. The state of Massachusetts first used the expression Jim Crow to designate a railroad car set apart for the use of Negroes. The first Jim Crow laws were passed by Florida and Mississippi in 1865 and Texas in 1866. These laws had to do with separation of the races on railroad cars and other public vehicles. Other southern states would have passed similar legislation but the Reconstruction intervened, and in a number of states laws prohibiting discrimination against Negroes in public conveyances were passed.

A Judgment Maim'd

Constitution

Editor Constitution: Upon the flimsy pretext that a Virginia statute requiring bus companies operating within the state to provide separate seats for white and Negro passengers imposes "an undue burden on interstate commerce," the erratic U. S. Supreme Court has just handed down a disgusting decision declaring the state law unconstitutional.

The statute which the court had under review does not seek to deny Negroes equal accommodation with whites nor impose upon bus operators the duty of providing different or additional seats for Negroes, but merely requires that they be seated separately in the same vehicle. It is difficult to conceive upon what reasoning the temperamental tribunal reached its "most lame and impotent conclusion." Sunday 6-14-46

The ruling is but another assault upon the sacred right of sovereign states to regulate and control their internal affairs, made under the guise of upholding the interstate commerce provision of the Federal constitution. "It's a judgment maim'd and most imperfect."

W. D. TUTT.
Elberton.

Race Segregation On Busses Banned

Court Rules Against Virginia; Press' Right to Criticize Upheld

By the Associated Press.

Washington, June 3.—Two sweeping Supreme Court decisions today gave the press latitude for criticism of the courts and outlawed racial segregation on interstate busses.

In brief, the court:

1. Unanimously upheld the giving of much latitude to the press to criticize the courts.

2. Outlawed, 6 to 1, a Virginia segregation law requiring Negroes to be seated apart from whites on busses.

3. Ruled unconstitutional an act of Congress cutting off the pay of three federal employees branded "subversive" by the former Dies Committee.

Upholds Insurance Tax.

4. Uphold State laws taxing insurance premiums and requiring licensing of agents.

5. Held that a landlord must repay to tenants rent money in excess of O.P.A, ceilings.

The Virginia segregation statute held unconstitutional requires Negroes to be seated separately from whites on both interstate and intrastate busses. Justice Burton, in a lone dissent, declared that the decision could invalidate similar laws of nine other States.

(Kentucky law requires that every railroad doing business in the state shall furnish separate compartments for white and Negro passengers. The law does not mention motor busses or any other carriers of passengers, the Associated Press reported from Frankfort.)

Conviction Reversed.

The seven justices unanimously reversed a contempt conviction against The Miami (Fla.) Herald and its associate editor, John D. Pennekamp, growing out of two editorials and a cartoon published in 1944.

The editorials criticized the quashing of eight indictments charging rape, the denial of an injunction against a night club and the dissolving on an injunction against another night club.

New indictments were returned in the rape cases before the first editorial was written.

The Herald contended the cases were closed at the time the editorials were written, but the Florida Supreme Court held that they were still pending.

The Supreme Court said the cartoon "held up the law to public obloquy." It agreed with the Florida Supreme Court "that the editorials did not state objectively the attitude of the judges." It added that "The full truth . . . was not published by the paper."

But its decision, written by Justice Reed, asserted that "Free discussion of the problems of society is a cardinal principle of Americanism" and that the press comment in question "could not directly affect" the judges' actions.

Danger Question Involved.

The high court's opinion was based on the question whether the editorials and cartoon were a "clear and present danger" to the administration of justice. It said that in "borderline instances . . . the specific freedom of public comment should weigh heavily against a possible tendency to influence pending cases."

In separate concurring opinions Justices Frankfurter, Rutledge and Murphy went even further than Reed.

Free Press Held Necessary.

Frankfurter wrote that a free press and an independent judiciary are both necessary to a free society and that "one of the potent means for assuring judges their independence is a free press."

"Criticism therefore must not feel cramped," he continued, "even criticism of the administration of criminal justice. Weak characters ought not to be judges, and the scope allowed to the press for society's sake may assume that they are not."

Murphy asserted that "the freedom of the press . . . includes the right to criticize and discourage, even though the terms be vitriolic, scurrilous or erroneous."

Carelessness Blamed.

Rutledge said that "if every newspaper which prints critical comment about courts without justifiable basis in fact, or withholds the full truth in reporting their proceedings or decisions, or even goes farther and misstates what they have done, were subject on these accounts to punishment for contempt, there would be few not frequently involved in such proceedings."

He added that part of such situations is "due to carelessness, often induced by the haste with which news is gathered and published."

"But a great deal of it must be attributed, in candor, to ignorance, which frequently is not at all blameworthy," he went on. "For newspapers are conducted by men who are laymen to the law . . . The law, as lawyers know, is full of perplexities.

Some Freedom Demanded.

"In view of these facts, any standard which would require strict accuracy in reporting legal events factually or in commenting upon them in the press would be an impossible one. Unless the courts and judges are put above criticism, no such rule can obtain. There must be some room for misstatement of fact, as well as for misjudgment, if the press and others are to function as critical agencies in our democracy concerning courts as for all other instruments of Government."

(Pennekamp, in Miami, said the court's ruling "should forever end the harassments to which newspapers and their editors have been subjected by autocratic judges."

(He added that "self-seeking judges long have attempted to silence the press whenever they were annoyed by what was said of them, regardless of the truth or falsity of the statement.")

Jim Crow Case Outlined.

The decision in the Jim Crow case was based on a finding that the 16-year-old Virginia statute is a burden on interstate commerce in violation of the Constitution. The majority opinion, again written by Reed, noted that Irene Morgan, a Negro, involved in the case, was required to change seats in the course of her journey from Gloucester County, Virginia, to Baltimore.

"Interstate passengers traveling via motor between the North and South or the East and West may pass through Virginia on through lines in the day or in the night," Reed wrote. "The large busses approach the comfort of Pullmans and have seats convenient for rest. On such interstate journeys the enforcement of the requirements for reseating would be disturbing."

The opinion concluded that "seating arrangements for the different races in interstate motor travel require a single, uniform rule to promote and protect national travel."

Frankfurter Takes Exception.

Frankfurter took exception to that in a separate concurring opinion, but agreed that the Virginia act was a burden on commerce.

Burton in his dissenting opinion observed that "the undue burden upon interstate commerce thus relied upon by the court is not complained of by the Federal Government, by any State or by any carrier."

He noted that laws similar to the one in Virginia are in effect in North Carolina, South Carolina, Georgia, Alabama, Mississippi, Louisiana, Arkansas, Texas and Oklahoma. Not only could these laws be invalidated by the majority decision, he said, but the laws of 18 other states which prohibit racial discrimination on busses also might be affected.

The Virginia law, which requires segregation on both interstate and intrastate busses, was held unconstitutional because of its interstate feature. However, any State laws which require segregation in intrastate travel, without reference to interstate, presumably would not be affected.

O.P.A. Is Upheld By Court.

In the O.P.A. case the court upheld the agency's requirement that a landlord charging over-ceiling levels make restitution to tenants. The ruling, on a case from Minneapolis, was by a 4-to-3 split with Rutledge, Reed and Frankfurter dissenting.

The court unanimously upheld a South Carolina tax on premium payments received by out-of-state insurance companies. The Prudential Insurance Company of America contended that this levy and similar taxes of 15 other States were an unconstitutional burden on interstate commerce.

(Kentucky's tax on insurance premiums collected in Kentucky is 2 per cent, applicable to domestic and out-of-state companies doing life, fire and casualty business. Fire insurance companies in addition pay one half of 1 per cent to support the State's Fire Prevention and Rates Bureau. Because of the holiday, no statement was available at Frankfort as to what the fees total annually.)

Insurance Code Upheld.

The court also upheld two sections of a California insurance code providing for the licensing of insurance agents and barring agents from acting for insurance companies not admitted to do business in that state.

The court declined to review a California grocer's protest against O.P.A. regulations classifying his business for price control purposes.

The court held unconstitutional a 1943 act which Congress aimed at three men criticized by the House Committee on Un-American Activities then headed by former Representative Dies (D., Tex.).

The three are Robert Morss Lovett, executive assistant to the Governor of the Virgin Islands, and Goodwin B. Watson and William E. Dodd, Jr., of the Foreign Broadcast Intelligence Service of the Federal Communications Commission.

Dies Accused 33 Others.

Dies accused these men and 33 others of being "irresponsible, unrepresentative, crackpot, radical bureaucrats" and affiliates of "Communist Front organizations." He urged Congress to refuse any money for their salaries.

As a result, a House Appropriations subcommittee investigated and declared the three in question guilty of "subversive activity." Provision was made in an appropriation bill that none of its funds should be used to pay their salaries.

After the House approved, the Senate unanimously opposed this action, but after long conferences finally yielded. The late President Roosevelt reluctantly signed the appropriation bill to "avoid delaying our conduct of the war," although he said the provision "is not only unwise and discriminatory, but unconstitutional."

The Supreme Court's opinion, delivered by Black, found that the intent of Congress was not only to deny the men their salaries, but also to bar them from ever again holding Government office. It held that this violated the constitutional provision that "no bill of attainder or ex-post-facto law shall be passed."

This Jim Crow Situation

By DR. EDWIN B. HENDERSON

For years colored citizens traveling South have ridden in the back of street cars and buses. Yet we have always believed that bigotry must someday die. A year ago Virginius Dabney, editor of the Richmond Times-Dispatch, said in an editorial that the Jim-Crow law no longer served its purpose and should be abolished.

He pointed out that whereas the Jim-Crow car law was meant to apply to the old railway cars where white people entered at one end and colored at the other and thus were kept separate, with the coming of the bus, all passengers entered by one door. The Negroes wended their way to the rear, and if they left before white passengers they must push through them again to leave.

A majority of the readers of Dabney's editorial agreed with him, but in a letter he told your commentator that he didn't think any delegate dared introduce a bill for this purpose that year.

When buses began to cause elimination of the electric cars, they were puzzled as to how to operate and yet carry out the segregation law. It was proposed that every third or fourth bus be run for Negroes and the others for whites. The writer was one to be put off a "white" bus. The state department of Virginia was appealed to and a ruling to the public carriers followed that no one could be denied service on any public carrier. For our little trouble we were prom-

Washington. By no means should we go to the rear if there are seats to our desire anywhere. We have asked preachers and teachers to urge our children and our adult citizens to be particularly clean, courteous and cultured. In short be natural by some of our self-respect we must, during the period of adjustment, exercise prudence all means let us stop herding to the rear of the bus. We sought and were given permission to carry a gun for protection and ever slow to take offense because some dyed-in-the-wool Fascist shows his cloven hoof when we are seated in his proximity. After a while it has revived a period of a year nothing happened.

General (Arrests and Suits after U. S. Decision)

The Defender By ALFRED E. SMITH Chicago, Ill.

Supremacy

A COLORED VETERAN accompanied by his wife boarded a bus the other day in a Southern city and mindful of the ban against Jim Crow in interstate bus travel, took a middle seat. The driver and white passengers looked at him sharply but said nothing. Sat. 7-13-46

However, when he transferred to another bus later and again took a middle seat, the driver of the new bus requested him to "move back." This the veteran declined to do unless the driver would give him a signed statement saying he asked the vet and his wife to move. After thinking this over, the driver said: "Oh well stay there."

But white supremacy wasn't licked, and the driver first told al white passengers they would have to wait for the next bus—a re versal incidentally of customary procedure. Then he rounded u all available colored passengers and loaded them in the bus, le them sit where they wanted, and set off in fine spirits convince that tradition had been served. (Thanks to Mabel and Hug Smythe of A. and I. College, Nashville, for reporting this.)

The South's New Rebellion

The Courier Pittsburgh, Pa. Sat. 7-6-46

While the intelligent citizens of the Nation rejoice over the decision of the United States Supreme Court outlawing jim crowism in interstate motor bus travel, the reactionary forces in Dixie seem determined to start another rebellion against constituted authority.

Governor Thomas Bailey of Mississippi, who took an oath to support the Federal Constitution, declares that "Segregation will continue down here."

Governor Chauncey Sparks of Alabama wails that the decision "interferes with the rights of States" and is "fertilizer for the Ku Klux Klan."

Clayton Coleman, acting secretary of the Louisiana Public Service Commission declares that "Louisiana's laws on segregation in intra-state commerce will continue to be enforced."

Representative Dan McGehee, a Mississippi Democrat, dubbed the Supreme Court justices as "a bunch of mediocre lawyers who should have been impeached long ago."

Reports from Atlanta declare that Negroes throughout the South continue to file to the rear seats and that bus company officials had issued no directives changing the old custom.

Elsewhere little seems to have been changed because authorities apparently intend to flout the Supreme Court decisions as long as they can.

All of which proves that a minority of white people in the South are still fighting the Civil War and are determined to retain their moss-grown privileges even in the face of a Supreme Court decision.

It is not surprising when it is considered that this same element has been defying the spirit of the Constitution for generations where colored citizens are concerned.

But the reactionary South will lose this civil war just as it did the last one because it is, as usual, on the wrong side, and in the end the enlightened views of the Supreme Court, backed by the Federal powers, will prevail.

Of course, there will be curses, beatings, fights and clashes on many of the interstate buses between insistent Negroes and equally insistent whites, but the majority of the travelers will, we are sure, abide by the law of the land.

Railroad Conductors Who Violate Law

The Black Dispatch Oklahoma City, Okla.

It is a sad commentary on our way of life when those who, under the statutes, are responsible for the administration of law, seek to force subordinates to violate the law. Under the separate coach and waiting room laws of Oklahoma conductors are the administrators of the law and the lesser train officials and the passengers are required to get their directions from the conductors, or if riding a bus, the driver of that conveyance.

Quite naturally a porter on a train is thrown in an extremely dangerous position, so far as his job is concerned, when the conductor directs him to violate the law. The porter's job is just as precious to him as the jobs held by readers of the Black Dispatch and those who at this moment read this column. Shall the porter, when the conductor tells him to take interstate passengers to the jim crow car, commit an obvious violation of law, or shall the porter forget his wife and family and his opportunity to make a living and immediately become a civil rights gladiator? That is the question that stares in the face of the porter when his conductor tells him to give instructions to passengers, which under the interpretation of the law, as it regards interstate passengers, is a positive violation of law. Sat. 11-16-46

In two recent decisions—one in bus travel and another secured by a Negro riding a train—the high federal court held interstate passengers (meaning those persons who purchase tickets which take them out of one state into another) are not subject to the seating arrangements of the several states. The decision does not affect Negroes riding as intrastate passengers, (that is to say, travelers from one point in Oklahoma to another) but it does liberate from the thralldom of jim crow all Negroes who pass through Oklahoma from one state to another, and all Negroes who reside in Oklahoma who purchase tickets out of the state.

We make the last statement for the reason that many Negroes do not realize that the moment they purchase a ticket in Oklahoma City, Tulsa, Muskogee, or any point in another state, if it be no further than Coffeyville, Kansas, or Denison, Texas, a distance of a few miles across the line, out of Oklahoma, are interstate passengers, and not subject to the seating arrangements provided for state passengers by state government. We make this statement for the reason many Negroes assume they are only interstate passengers entering Oklahoma, never realizing that they are interstate passengers leaving Oklahoma.

What happens in a great many instances develops like this. If a Negro passenger climbs aboard a train in St. Louis, the conductor seeks to force the Negro porter to conduct the Negro passenger to the jim crow coach even though this passenger may have a ticket that carries him through Missouri, Oklahoma, Texas and Louisiana. The idea is to get the Negro into the jim crow coach through the agency of the porter and thus relieve the conductor from making the railroad liable for a violation of federal law. In court, if the defendant Negro reported the porter asked him to move, the railroad would not be liable, for the porter is not the

rity of train porters attempt to work in
and order. Some of them come to the
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m, but a large number of these porters
senger of his legal right to remain right
is the train official whom the Negro pas
to protect. Thousands of Negroes do
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this manner.

porter. Negro interstate passengers who are asked by train
porters to move, should report the name of the porter and
the train on which they ride to the Negro paper published in
that area. The general public should be advised of the cow-
ardice and utter lack of self-respect on the part of the
porter when he commits this disgraceful act. Only a few

confer about the matter. Nine times out of ten, the conductor will not come because the conductor knows his train orders are to the effect that the Negro passenger must be left alone to ride where he is, if he elects to exercise his rights as an interstate passenger. Every railroad conductor in Oklahoma has those instructions in printed form, and the conductor has that instruction with him on the train on which you are riding.

But if the conductor does arrive, leave the porter out of the conversation. When the conductor arrives he is there on his own responsibility, and he is the one asking you to move—not the porter. Under no conditions get loud or boisterous. You can tell the conductor in a whisper that you elect to remain where you are. There is no necessity for you to alarm the whole coach, and irrespective of the tone of voice of the conductor or the violent language he employs,, the Negro passenger should never utter an oath or use any language other than that of a gentleman or a lady. Such attitude wins the sympathy of all of the white people in the coach, whereas offers to fight, and rude language develop opposite reactions.

Your task, when and if the conductor arrives, is to sit tight in that seat; your task is to be firm and insistent, but quiet. You can win your legal rights by gentlemanly or ladylike conduct, and lose them being charged with disorderly conduct, and being a member of a minority group, disorderly conduct is largely characterized as talking loud and offering threats to those who threaten you.

We could not close this statement without fulsome praise to the Santa Fe lines operating out of Oklahoma City. Officials on the Santa Fe lines are observing the law respecting interstate passengers. Almost all of the conductors on the Frisco are showing respect for law, but several of them are nasty. The Rock Island, going east into Arkansas, is not observing the law as it should, but in the main improvement is being shown by the railroads in Oklahoma in observance of the recent federal decision respecting interstate travel. Many Negroes who have urgent business east into Arkansas and Tennessee are denied the right to ride the Rock Island "Rocket" because someone decided on a hard and fast rule; someone reached the conclusion that jim crow should entirely ignore the law of supply and demand when decision was reached to allow only eight Negroes to ride the Rock Island "Rocket."

The Black Dispatch wants to take its hat off to the increasingly large number of Negro porters who are courageously thinking through their very delicate problem of satisfying the cowardly demands of their spineless, prejudiced conductors and still offering helpful assistance to the Negro traveling public. Hereafter, keep in mind that the Negro interstate passenger who insists upon his legal rights as an interstate passenger, should have far more balance and poise than the lawless conductor who asks you to move. The Negro passenger is observing the law while the conductor is violating his oath of office, as an agent of the state, and making a shambles of our social order.

Afro Wins First Case

The Afro-American

# of Its Kind in Dixie

Baltimore, Md.

U.S. Court of Appeals Forbids

Sat. 9-28-46

Segregation in Interstate Traffic

CAN APPLY TO BOATS, PLANES

2-1 Opinion, Given After Bus Ruling, Holds Railroads Equally as Liable

BULLETIN

"I consider it a great victory," James A. Cobb, attorney, declared on Monday when advised that the U.S. Court of Appeals had ruled in favor of the AFRO-AMERICAN in its suit to prove the invalidity of Dixie's jim crow laws as applied to interstate travel.

WASHINGTON

In a sweeping decision which puts an end to Dixie jim-crow train travel, the U.S. Court of Appeals for the District of Columbia ruled Monday in favor of the AFRO's suit charging that the Southern Railway Company had violated the law by providing separate jim-crow accommodations.

The language of the court is broad enough for the decision to apply to all types of interstate travel, including boats and planes.

Appelants were the Rev. William H. Jernagin, Ralph Matthews, chief of the AFRO's National Bureau in Washington, and William J. Scott, former AFRO photographer, all of Washington, who were ejected at Lynchburg, Va., while en route from Philadelphia to Greensboro, N.C., in Nov., 1943.

James A. Cobb, George E. C. Hayes and Leon Ransom, attorneys, had appealed on Nov. 23, 1945, from the decision of the U.S. District Court which favored the railroad.

They had claimed that the Virginia statute requiring railroads to furnish separate cars for white and colored passengers was invalid when applied to interstate travel and therefore inapplicable to them since they had contracted with the railroad for specified seats in specified cars for their journey South.

Because of the decision in the case of Mrs. Irene Morgan vs. Virginia, whereby the U.S. Supreme Court declared illegal the segregation of interstate bus passengers, the court delayed decision in the AFRO case.

It now rules that there is "no valid distinction between segregation in buses and in railroad cars.

The 2-1 opinion was written by Judge E. Barrett Prettyman and concurred in by Judge Henry C. Edgerton. Judge J. Bennett Clark dissented.

U.S. Court Says This Is Wrong

Ralph Matthews, head of the AFRO's National Bureau in Washington, and Dr. William H. Jernagin, secretary of the Fraternal Council of Churches, shown in Lynchburg, Va. railroad station after being ejected from a Southern Railroad train for refusing to occupy jim crow seats in Nov., 1943. This week, the U.S. Circuit Court of Appeals in Washington handed down a decision in the AFRO suit testing the validity of this action, ruling that their ejection was unconstitutional and jim crow on railroads was illegal. 9-28-46

The Afro-American Baltimore, Md. Sat.

Madness in Method

The Nation Newyork, N.Y. Sat. 10-12

Dear Sirs: My daughter has just returned from a first visit to my old home town. She was born in Philadelphia twenty-four years ago and has a fair complexion. On a Southern bus she sat in the Negro section. The driver ordered her to the white section. She refused to move, and told him she had no objections to sitting beside Negroes. When he kept insisting, she told him *she* was a Negro and was sitting where the law said she must sit.

But contrary to her expectations, his face wasn't red. Confused or not, he said, "All right. Be stubborn. But I won't let the niggers sit by you. You're only keeping them out of a seat, that's all." And he did make the newly arriving colored passengers stand in the rear of the car! Sat. 10-12-46

Keeping the Negro in his place, especially on a segregated bus, very often calls for more madness than method. . . . The place the Southern white man picks for the black man is, after all, only some manner of living which the white man feels sure is below his own; his own being far below any praiseworthy standard of decency and progressiveness.

It all means that the white South is satisfied to have the Negro to look down upon, even though it has nothing in God's wide world to look up to.

W. J. J.

Philadelphia, September 22

Messrs. Jernagin, Matthews and Scott bought tickets in Philadelphia to Greensboro, N.C., the tickets including through seat reservations for specified seats in specified cars.

At Alexandria, Va. and again at Charlottesville, the conductor and others of the train crew requested that they move to other seats in a jim crow car. They refused.

Agents of the railroad then notified city police at Lynchburg and when the train reached there, a police officer boarded the train and requested them to move. When they again refused, he told them that he would have to compel them to get off the train. It was then that they got off.

The railway had contended that it was not liable inasmuch as Lynchburg city police were responsible for the ouster of the three passengers but the court ruled that the railroad, by calling in the police, shared the responsibility.

29 1946

Georgia

Dixie Bus Driver Orders Vets To Give White Riders Seats

Chicago Defender
Chicago, Ill

ATLANTA—(ANP)—Two veterans of World War II were ordered from their seats by a bus driver near Palmetto, Ga., last week in order that two white passengers would not have to stand.

According to a minister, who happened to be on the bus at that time, "The driver was very rude in demanding that the veterans get up." He added later that the driver said Negroes should consider themselves fortunate in being permitted to ride on the bus.

The veterans were reluctant to move and actually did not move until the preacher suggested that they comply with the driver's request so as to avert trouble.

According to witnesses, Negro passengers had to wait for a second bus because of overcrowded conditions and found ample seats on the second vehicle until white passengers got on at points between Atlanta and Palmetto. The white driver then pulled to the side of the highway and ordered the colored veterans to stand up and let the white passengers sit down.

There were reportedly six Negro passengers on the rear seat and one side seat next to the rear seat.

The incident was reported to an Atlanta bus official, who was asked if it was a policy of the Terminal company to have drivers ask colored passengers out of their seats so that white passengers would not have to stand. He was told that was the case "unless they are on the rear seat," but in the cited case he thought the driver "used bad judgment."

Sat 3-30-46

The official, G. E. Cole, superintendent of the Tech Greyhound lines, said that drivers were instructed to ask white passengers off the rear seat to permit Negroes to sit down.

The minister-informant pointed out that he had been riding buses rather frequently for the past 10 years and he had never known of any instance where white passengers were ordered off the rear seat, even when colored passengers were standing. He pointed out that Negro passengers, excluded from the first bus because of overcrowded conditions, should have been allowed to occupy the rear seat of that vehicle.

The bus official didn't answer that one.

Charges Train Conductor With Bad Judgement

Daily News
Atlanta, Ga.

Station Master Wired To Summon Police For Youth

4-18-46

Ives.

WASHINGTON, —(NNPA) —An army inspector blamed A. C. Avera, conductor on the Central of Georgi Railroad, for the beating of Negro selectees by civilian police in Columbus, Georgia, March 18. A war dept source disclosed Monday according to the report of the inspector. If the conductor had shown initiative in handling matters on his train, the selectees would have been unframed before reaching the reception center at Fort. Benning.

Instead, at Reynolds, Georgia he wired the station master at Columbus to have the military police meet the rain. The station master telephoned authorities at Fort Benning. Because the men were still civilians, military authorities called civilian police who boarded both ends of the car in which the selectees were travelling and beat them up with clubs and blackjacks. The report said the men who were sent to Fort Benning by their Draft Boards in Savannah were boistrous and gambled enroute.

THE UPPER SOUTH

Court Curb on Segregation Made Issue by Talmadge

News

By VIRGINIUS DABNEY

RICHMOND, June 8—Relatively little excitement has been caused in the Upper Tier of Southern States by the Supreme Court's outlawry of segregation on interstate buses, but in Georgia it came as what was classed in some quarters as a heaven-sent issue to Eugene Talmadge in his "white supremacy" campaign for Governor.

The ink was hardly dry on the court's ruling when Mr. Talmadge, whose chances of victory in the July 17 primary were regarded as only fair until the court met Monday, seized this new issue eagerly. He promptly made it paramount in a speech at Cartersville, saying that interstate buses would be abolished in Georgia when he became Governor.

6-9-46

"We'll put up ticket stations just fifty feet inside the Georgia line," Mr. Talmadge told his audience. "The people will have to get out of the buses and buy another ticket. They can ride across the Florida line, get out and get another ticket. If I'm Governor there won't be any mixing of the races."

Sunday

Foes of Mr. Talmadge in Georgia are depressed over this turn of events. In the first place, such talk greatly aggravates interracial antagonism. In the second place, they do not know how much headway Mr. Talmadge is making with such arguments against his two opponents for Governor, James V. Carmichael, who has the support of Governor Ellis Arnall, and former Governor E. D. Rivers.

Gene Would Have Negroes Buy New Tickets at State Line

Atlanta Constitution, Ga.

By JOHN COURIC,
Constitution Staff Writer.

CARTERSVILLE, June 4—Replying to a United States Supreme Court decision prohibiting race segregation on interstate buses, Gubernatorial Candidate Eugene Talmadge Tuesday promised to enforce Georgia Jim Crow laws by requiring purchase of new tickets each time a bus crosses the State line.

"We won't have any interstate travel through Georgia," Talmadge declared in an address here. "All travel will become intrastate. Georgia can control licenses on intrastate tickets and on intrastate buses," he said.

Talmadge explained that Negroes on buses entering Georgia will be required to purchase tickets for the distanc etraveled within the State and, therefore, will not be classed as traveling in interstate commerce.

6-5-46

The Supreme Court ruling, which held that races cannot be segregated on buses, applied only to buses in interstate travel.

Referring to the decision, handed down Monday, Talmadge said: "If Congressmen think Georgia will take this laying down, they will quit fighting against FEPC."

Twice during his speech, he repeated this phrase: "Supreme Court decisions follow elections." Explaining his point, Talmadge asserted: Elect the right man and the Supreme Court will get in line and realize they will have to deal with things in a practical manner.

Talmadge also promised his audience he would do his utmost to make the provisions of the GI Bill of Rights a reality for every Georgia veteran.

W'ed.

Urging voters to support him, the former Governor discussed in detail his program for veteran assistance, including free business licenses, five-year ad valorem tax exemptions and honorary drivers licenses for life. He promised that 50 per cent of those he appointed to public office would be veterans.

Talmadge discussed the necessity for a sound health program and pledged to set aside $1,000,000 for aid to Georgia's rural communities to construct and equip hospitals.

In addition, he promised support for expansion and improvement of farmers' markets.

Turning to the need for highway construction, Talmadge said, if elected, he would show Georgia the largest road-building program the State has ever known.

Man Is Shot In Altercation Over Bus Seat

Times-Dispatch
Richmond, Va.

Driver Wounds Negro In 'Jim Crow' Fight

Fri. 6-28-42

SAVANNAH, GA., June 27—(AP)—A Negro man was shot and wounded and a bus driver beaten in a fight which allegedly grew out of a Negro woman's insistence on seating herself by a white man, Chatham County Police Sergeant Lee Ingram reported today.

Sergeant Ingram identified the principals in the case as James Braxton, 25, Negro; J. R. Burton, bus driver, and Dorothy Bacon, Negro woman.

Burton was charged with assault and freed on a $500 bond, Ingram said, while Braxton is in a hospital suffering leg wounds and the Negro is under arrest on charges of disorderly conduct, cursing and inciting to riot.

In addition, said the policeman, another Negro woman, identified by him as Ruby Glover, is being held as a material witness.

Account Given

Sergeant Ingram gave the following account of the incident:

The Negro woman boarded the bus and seated herself beside a white man. The man asked her to move and when she refused to do so, moved himself.

When the bus stopped for the Negro woman to alight, she began cursing Burton, who left his wheel to remonstrate. At this point several Negro men attacked Burton, who pulled his pistol and fired.

Braxton, who was hit, then began a struggle with Burton for the gun and when police arrived the battle was still in progress. All other passengers, including a lone white man, had left the bus.

The altercation was the third between Negro and city bus drivers recently. Two drivers were beaten and robbed by groups of Negroes two weeks ago. Both drivers had to be hospitalized.

What Price Service

The Constitution

Editor Constitution: Reason No. 680,000,001 why the South lags behind the rest of the nation in so many ways: Business people insist on giving two grades of service for the same amount of money—white folks service and black folks service. Why in the name of heaven must we on the West Fair line get such lousy trolley service? The cars are all always late, packed to the bursting point, in a bad state of disrepair and, to add insult to injury, the drivers stop in stores for cokes and chats while the riders sweat it out, wanting to get home or to work somewhere near "on time." It just seems awful to have to wait for almost an hour for a car in the period between 6 and 7:30 p. m., while the cars go to the barn leaving us standing and fuming—and losing our religion, too.

In the mornings, when the cars are as tight as Dick's hat band, the motormen refuses to let anyone out of the front door, when there are only Negroes on the car. There is no use trying to get to the back door unless you are within three feet of it; that is against the law of impenetrability. So what is there to do but ride two or three stops beyond your transfer point.

Atlanta, Ga.

Let the grand jury investigate this and give their opinion to the people. Let the newspapers print editorials on this subject.

JOSEPH GODBYE, JR.
903 Fair St., S. W.
Atlanta.. Wed. 11-27-46

Chicago Woman

JAILED AFTER BEING BEATEN

The Courier
Pittsburgh, Pa.
Sat. 10-5-46

ATLANTA—(ANP)— After being brutally attacked by a young white soldier aboard a bus at the Atlanta Bus depot last week, Miss Bertha Rowe of Chicago, was arrested on a charge of disorderly conduct and fighting and forced to spend a night in the Atlanta police station.

Miss Rowe had been visiting her mother in Birmingham and was en route to New York City to continue her training in the field of music.

The young woman took a seat in the rear of the bus along with other colored passengers. A young white soldier occupied the seat directly in front of her. It seems that his seat was broken and when he moved a lever, the back of the seat went all the way back, pinning Miss Rowe in the rear corner of the bus.

STRUCK WITH FIST

The young woman said she asked the GI to readjust his seat twice, but he ignored her. When she threatened to call the driver, the soldier allegedly cursed her and told her to shut up. When she called the driver, the soldier struck her in the eye with his fist and pulled out a knife, Miss Rowe related. At this point, the driver yelled, "Cut it out back there."

After being attacked by the soldier, Miss Rowe said she made an effort to defend herself. The bus driver called officers. According to the young woman, when the officers arrived, the soldier and several white passengers lied about how the trouble actually started. In a very rude manner, the officers forced the young woman off the bus and had her luggage removed, then jailed her. As far as the could determine no case was made against the soldier.

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Negro Wounded In Savannah Bus Seat Clash

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Sgt. Ingram identified the principals in the case as James Braxton, 25, Negro; J. R. Burton, bus driver, and Dorothy Bacon, Negro woman.

Burton was charged with assault and freed on a $500 bond, Ingram said, while Braxton is in a hospital suffering leg wounds and the Negro woman is under arrest on charges of disorderly conduct, cursing and inciting to riot.

In addition, said the policeman, another Negro woman, identified by him as Ruby Glover, is being held as a material witness.

Sgt. Ingram gave the following account of the incident:

The Negro woman boarded the bus and seated herself beside a white man. The man asked her to move and when she refused to do so, moved himself.

When the bus stopped for the Negro woman to alight, she began cursing Burton, who left his wheel to remonstrate. At this point several Negro men attacked Burton, who pulled his pistol and fired.

Ingram said the bus driver carried a pistol under a license issued by the Ordinary of Chatham County.

Braxton, who was hit, then began a struggle with Burton for the gun and when police arrived the battle was still in progress. All other passengers, including a lone white man, had left the bus.

The altercation was the third between Negroes and city bus drivers recently. Two drivers were beaten and robbed by groups of Negroes two weeks ago. Both drivers had to be hospitalized.

Negro Wounded In Savannah

The Constitution

Atlanta Ga Bus Seat Clash

Fri 6-29-46

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Woman, Beaten By Soldier, Jailed

Daily World Atlanta, Ga.
Tues. 9-24-46

After being brutally attacked by a young white soldier aboard a bus at the Atlanta Greyhound Bus Depot, around 11:30 Friday night, Miss Bertha Rowe, of Chicago, Ill., was arrested on a charge of disorderly conduct and fighting and was forced to spend the remainder of the night in the Atlanta Police station, it was disclosed Monday.

Miss Rowe had been visiting her brother in Birmingham, and was enroute to New York City to continue her training in the field of music. She arrived at the bus terminal at 9:30 and after waiting two hours was able to get on a bus headed for points East.

HIT BY SOLDIER

In relating her experience Saturday afternoon, Miss Rowe stated that she took the rear seat of the bus, along with the other colored passengers, and a young white soldier sat directly in front of her. The soldier's seat had an adjustable back, but the spring was broken, so when he moved the lever, the back of the seat went all the way back, pinning Miss Rowe in the rear corner of the bus, she said Miss Rowe stated she asked the young GI to re-adjust his seat twice, but he ignored her. Then there," she threatened to call the driver, **CALLED COPS** the soldier cursed and reportedly After being attacked by the soldier shortly after noon Saturday, said "you better shut up." Whendier, Miss Rowe said she made an C. L. Harper, president of the N. she called the driver, the soldiereffort to defend herself. The bus A. C. P., suggested that she construck her in the eye with his fistdriver called the officers. Accordtinue her trip to New York on the and pulled out a knife, Miss Roweing to Miss Rowe, when the Offi- train Inasmuch as she had already related. At this point, the drivercers Davis and Roberts arrived thepurchased her ticket, Miss Rowe reportedly yelled, "cut it out backsoldier and several white passen- decided that she would continue

Tells of Jim Crow By Railroad

Defender

I am writing to give a few facts about mass Jim Crowism on the Illinois Central Railroad.

At Central Station in Chicago, mass segregation is practiced. While there is no Jim Crow law in the state of Illinois, the colored passengers are loaded at the front of trains in common carrier cars while whites are seated in deluxe chair cars. If a colored passenger happens to go into one of these cars, when the train reaches Cairo, he is asked to move into a Jim Crow car.

Chicago, Ill.

Leaving St. Louis, Mo., all passengers are seated in chair cars until they get to Cairo, then colored passengers are forced to move, sometimes five cars ahead and stand up the rest of their trip. Some times the conductor refers to them as "nigger" girls and "nigger" boys or in the "nigger" coach. I've seen colored women with babies in their arms and other small children standing. Blind and disabled persons sitting in aisles, while in the white or Jim Crow coaches there was plenty of room, some passengers holding four seats while these poor colored people had to stand from Memphis to New Orleans or Cairo to Memphis.

I've seen southern conductors push women and children around like they were beasts. The southern conductors force their evil doing upon the porter by having him segregate the colored from the white.

Sat. 10-5-46

At Memphis when trains are called, the colored people are forced to stand back until all white passengers are out of the gates, then the colored are let out, thus causing the white to board trains first filling up as much space as possible while colored passengers are forced to stand. Yet most of these people are not subjected to local Jim Crow laws because they are interstate passengers.

(Editor's Note: Letter signed, but name withheld to protect writer.)

MORE DISCRIMINATION ON RAILROADS

The Christian Index

ONE of the Negro newspapers published a circular bulletin of the Illinois Central Railroad concerning sleeping, dining, and parlor car accommodations for Colored passengers. The circular clarifies the road's position on the matter in the light of the recent Supreme Court ruling.

Jackson, Tenn.

It seems that the road has ordered its conductors, ticket agents, traffic representatives, and train employees to see that interstate Negro passengers receive the accommodations they pay for. This is a decided improvement over conditions which prevail on most railroads operating in the South.

Thurs. 12-12-46

We regret that we cannot become too jubilant over the policies stated in Circular No. 5580 of the I. C. railroad. It is a concealed effort to compromise on the ruling of the Supreme Court. In fact it violates the Supreme Court ruling by offering a subtle, milder form of discrimination—"preferred" segregation and "shuttle" (shifting about) discrimination.

The road has ordered that interstate Negro passengers be given a berth in a drawing room, compartment or bedroom *if available* for the same rate of an open berth in body of car. If no enclosed space is available then a Negro passenger may be assigned in the body of the car but not to the same section occupied by a person of another race and if possible not to a space opposite or across the aisle.

This means that Negro passengers will quite often be denied available space because of color. It is difficult to find such space as described. To add more fuel to the fire the Illinois Central throws itself open to further possibilities of law suits by saying that these instructions will also apply to interstate passengers in states (the North) which have no segregation statutes.

More than 33 per cent of the passenger business of the Illinois Central comes from Negro passengers. Despite its constant yielding towards discrimination against Negroes in the North as well as in the South, the Illinois Central has always been quick to make fair adjustments when complaints are presented to its officials. It would probably do so in this case.

Now is the time when the Church and especially the Negro minister can act to improve travel conditions and remove discrimination and inadequate accommodations for Negro passengers on trains, bus, and public transportation.

Negro Files $8,900 Suit For Intimidation

Courier-Journal Ky. 1-13-46 Louisville

A suit seeking a total of $8,900 damages was filed yesterday in Circuit Court against Southeastern Greyhound Lines by the Rev. Nathaniel Hardrick, Negro, 1037 S. 16th, who claimed he was "intimidated and threatened" by a bus driver and two Versailles, Ky., policemen, who forced him to move into the back seat of a Louisville-bound bus last Sunday.

$8,000 Suit Filed Against Bus Co.

Afro-American Baltimore, Md. 1-26-46

LOUISVILLE (ANP). — The Rev. Nathaniel Hardrick, 60, prominent local AME minister, filed an $8,000 suit against the Greyhound Bus Company last week in circuit court here through his lawyer, Rep. Charles W. Anderson, for alleged mistreatment by a bus driver.

The petition states that he boarded the bus Sunday, Jan. 6, at Lexington, Ky., en route here, and took the third seat from the rear. He rode about 20 miles when the driver ordered him to move to the rear seat. Ky.

When he refused, the driver threatened him and refused to drive further unless the minister, who is partially blind, moved. The driver then got off and returned with two Versailles policemen, who entered with drawn guns and blackjacks.

Injured Vet Loses Law Suit Against Bus Co.

Chicago Defender
Chicago, Illinois
Sat 4-27-46

An injured war vet this week lost a law suit against the Southeastern Greyhound Bus Lines in which he charged that he was forced to stand up from Lexington to Frankfort, Ky., until he could find a seat in the rear of the bus.

A Circuit Court jury voted 11-1 in favor of the bus company in the $6,000 suit filed by George D. Smith, 46. Smith testified that he had been at the veterans' hospital at Lexington for treatment for a nervous condition contracted during 31 months' war service.

According to the testimony, the bus driver, William Brasel, 25, of Louisville, ordered Smith to take a seat in the rear of the bus. When Smith refused, Brasel shoved him, then called police.

Brasel said that according to company instructions he asked Smith "courteously" to move, and that Smith had been "very unfriendly" in his attitude.

Negro Woman Sues Bus Line For $50,100

Tuesday 7-30-46 Courier-Journal

Says She Was Ejected For Not Giving Up Seat

Louisville, Ky.

Paducah, Ky., July 29 (AP)—A Paducah Negro woman has filed suit against Southern Bus Company for $50,100, claiming she was put off at Wickliffe when she refused to leave her seat and move to the rear of the bus just after it crossed the Illinois-Kentucky line.

The plaintiff, Elizabeth Whitesides, said in her petition, which was filed in Federal Court here, that she boarded a bus at St. Louis and changed busses at Cairo, Ill., being entitled to transportation to Paducah on her original ticket.

Describes Ejection From Bus.

Boarding the Paducah-bound bus, she said, she took the sixth seat behind the driver. Then the driver, she declared, "arbitrarily and without right ,and because plaintiff was a colored person," asked her to go to the back of the bus. 7-31-46

The woman, who is about 25, said she refused and the driver with assistance from a person who represented himself to be a peace officer, "with great force and violence" ejected her and "threw her baggage after her."

The woman alleges she suffered injuries and "great humiliation." She alleged she was "assaulted, battered, bruised and beaten."

The bus company formerly operated here as Tri-State Bus Company.

Jury Backs Jim Crow In Minister's Suit

Tuesday Courier

LOUISVILLE— (ANP) —Jim crow was supported by a circuit court jury here last week that ruled against the Rev. Nathaniel Hardwick, superintendent of the Frankfort district of the AME Church, in a suit against the Southeastern Greyhound bus line.

Rev. Hardwick sought $8,900 damages from the company because the drivers called police officers at Versailles to force him to move back in the bus. The jury agreed with Richard C. Gifford, the driver, that he was following company regulations in seating passengers as he thought best.

Lawyers for Rev. Hardwick did not indicate if the case will be appealed. Wed. 10-23-46

Negro Testifies Changing Bus Seat

The Courier-Journal

Louisville, Ky.

Impaired Health

Wed. 10-16-46

In an $8,900 damage suit against the Southeastern Greyhound Bus Company, the Rev. Nathaniel Hardwick, Negro, 1037 S. 16th, testified before a Circuit Court jury yesterday he suffered humiliation and adverse health when forced to change seats in a bus.

The minister, who is superintendent of the Frankfort District, African Methodist Episcopal Church, testified he was on the way from Lexington to Louisville for an eye operation. At Versailles he said two policemen were called after he had refused to move back in the bus.

The policemen asked him to move, Hardwick testified, and when he told them he was on his way to a hospital in Louisville, he quoted them as saying they would "put me in a hospital there if I didn't move back."

Negro Charging Abuse On Bus, Asks $7,000

The Courier-Journal

Louisville, Ky. Sun.

A suit claiming "abuse and eviction from a bus" and asking $7,000 damages was filed in Federal Court here yesterday against Southeastern Greyhound Lines by Ernest C. Preston, Jr., Negro, Roanoke, Va. 11-17-46

Preston charged that the driver ordered him to move to a rear seat after he boarded the bus at the Frankfort terminal July 26. Preston refused on grounds "there were no seats available there," the suit claimed, but got off when the driver called two policemen who "threatened bodily harm."

GI Beats Negro Woman, Gets 30 Days From Judge

Defender Chicago, Ill. Sat. 8-24-46

LOUISVILLE, Ky.—Fo beating a Negro woman who sa "where she shouldn't" on a stree car here recently Corp. Alfred L Smith, Fort Knox, self-styled "tru Southerner" received 30 days in jail and a $100 fine in Police court last week.

Smith, 23, objected to Mrs. Sadie Mae Elmore, 31, taking a front seat when she entered a crowded streetcar in this city. Shouting, "I'm from the South," he proceeded to prove it by beating her with his fists. The motorman told the court he attempted to stop the altercation and failing, ordered the passengers from the car and called the police.

The G. I. said he had been drinking most of the day and did not remember anything after getting on the streetcar. The motorman said Mrs. Elmore in order to defend herself when Smith, not satisfied with beating her, kicked her, grabbed a whiskey bottle he was holding and struck him on the head with it. He was treated at the hospital for a head cut.

A malicious - striking charge against Mrs. Elmore was filed away by Judge Homer C. McLellen and one of the same nature against Smith was amended to disorderly conduct.

Ky. Bus Company Sued For $50,100 By Negro Woman

World Memphis, Tenn. Fri. 8-2-46

PADUCAH, Ky.— (SNS) — Miss Elizabeth Whitesides, about 25, filed suit in Federal Court here against the Southern Bus Company for $50,100, claiming she was thrown off one of the Company's carriers at Wickliffe, Kentucky, when she rufused to leave her seat and move to the rear of the bus after it crossed the Illinois-Kentucky line.

Miss Whitesides alleged she suffered injuries and "great humiliation." She charged she was assaulted, battered, bruised and beaten."

$50,000 Suit Will Test Dining Cars' 'Curtains'

Tribune

A $50,000 damage suit was filed last week at Louisville, Ky., against the Louisville and Nashville Railroad on a charge they had been ejected from a dining car of a Nashville, Tenn., to Cincinnati, Ohio, train in Kentucky on March 17, by two male passengers and a complaint made in Washington to the Interstate Commerce Commission asking an order that the road be required to cease its alleged Jim Crow practices.

Complaining that they were victims of the impractical, discriminatory, and humiliating practice of using curtains around the table reserved for Negro passengers are James E. Stamps, of Chicago, and Ennis L. Powell, of Charleston, W. Va. Jun. 6-25-46

Handling the Washington end of the complaint is Belford V. Lawson, Jr., attorney. Assisting are Earl B. Dickerson, and Sidney A. Jones, Jr., both of Chicago, and Charles W. Anderson, Jr., colored assistant commonwealth's attorney at Louisville, who said he filed the suit to test the legality of the railroad's so-called "curtain" system of segregating Negroes on its trains.

Messrs. Stamps and Powell say they had a drawing room from Louisville to Cincinnati, and while in the northern part of Kentucky went into the diner for food. Nashville Tenn.

To Test "Curtain" System

The first table on their left had four seats, two occupied by white people, but the curtain provided for this table was not drawn. Immediately on their right as they entered the diner was a table accommodating two persons, occupied by two Negroes and with the curtains drawn, separating them from the other part of the diner. D. C.

Shortly after the two passengers entered the diner, a small seating capacity for two, became vacant, and they proceeded to that table to order breakfast.

Blocked by Steward

They were blocked by the dining car steward, W. H. Kalpas, who told them they could not sit at the table. He told them further, it is alleged, that the first two tables within the curtains were reserved for Negroes.

The pair called his attention to the fact that the first two tables were occupied, one by whites and the other by Negroes, and said they saw no reason why the small vacant table couldn't be occupied.

The steward is then reported to have told Stamps and Powell that under instructions from the railroad, Negroes could only sit at the first two tables.

"Whereupon the complainants were refused the right to take the said vacant seats and were denied the equal use of the facilities and accommodations of the dining car purely on the basis of the color and race of the complainants, and in violation of the commission may consider reasonable

It also demanded that the cur and just. Jun. 6-25-46

tains be removed, that damages be assessed the railroad for th alleged violations.

3. By the discriminatory, unequal and just dining car facilities, humiliating, and impracticable without discrimination on the use of a curtain around the tables allegedly reserved for Negroes; Jun. 6-25-46

4. And by giving unlawful, discriminatory, and unnecessary preference and advantage to white persons using the dining car, in respect to transportation and facilities in that the railroad failed and refused to serve complainants in the dining car where there were empty seats.

The suit further charges that that railroad violated Section 41, Chapter 3, Title 8, U.S.C.A., in that it denied complainants the full and equal benefit of all laws and proceedings for the security of persons and property as is enjoyed by white persons.

Other alleged violations, including that of Sections 1 and 5 of the Fourteenth Amendment to the U. S. Constitution.

Want Hearings in D. C.

The complainants pleaded to the Interstate Commerce Commission that after hearings here, the railroad be ordered to cease its reputed violations of the Interstate Commerce Act, and in the future, to establish, apply, and enforce for the transportation of complainants and, other Negro interstate passengers, car service to persons of race, and color in that this action was in violation of the national transportation policy of the United States as set forth by the Congress in U.S.C.A. Title 49.

Violations Charged

It is further charged that the railroad violated Section 3, Paragraph 1, of Title 49, U.S.C.A., in that it practiced undue and unreasonable preference and disadvantage to persons and for the unequal dining car facilities were provided for white persons not provided for colored persons; Nashville Tenn. Jun. 6-25-46 Jun. 6-25-46 Jun. 6-25-46

Protests Jim Crowism

The Courier-Journal Louisville, Ky.

When will America wake up? Do people really believe that there will ever be lasting peace as long as one group is busy crushing another? Sun. 9-29-46

Saturday morning, September 21, my 5-year-old son and I boarded a Greyhound bus for Richmond. We comfortably seated ourselves two seats from the rear of the bus, but the driver asked us to take the very last seat in order to seat two white passengers. I moved, because I dislike a lot of confusion, but I would like an opinion from your readers what they would have done in a similar situation. I explained to my son why we were asked to move, so now, at the age of 5, he begins a dislike for whites. Is this the peace and freedom for which his daddy and many others like him fought?

Lexington, Ky. AN EX-MARINE'S WIFE.

2 Negroes Sue Bus Firm For Forced Seat-Change

The Courier-Journal Louisville, Ky. Sun. 11-10-46

Lexington, Ky., Nov. 9 (AP)—Two Lexington Negro women charged violation of provisions of the United States Constitution and mandate of the Supreme Court today in suits against Southeastern Greyhound Lines of Lexington.

Petitions filed in behalf of Hazel Ridley, 33, and Princess Johnson, 32, stated the women incurred "great mental and physical anguish" and damages of $10,000 each when, they claimed, they were forced to ride on the back seat of a bus from Paris to Lexington November 3.

Counsel for the plaintiffs said in the petitions that the women were required by the bus driver, under threat of ejection, to ride on the rear seat. The seats they left, however, remained vacant during the trip, the petitions stated. The driver was not identified.

The women claimed that when